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GLOSSARY

Borough	Eastleigh Borough
CD	Core Document for the Inquiry
CLLR	Chickenhall Lane Link Road
Council	Eastleigh Borough Council
County Council	Hampshire County Council
cSAC	candidate Special Area of Conservation
First Deposit Draft	Eastleigh Borough Local Plan Review (2001-2011) First Deposit January 2002
EBC	Eastleigh Borough Council
EBC(x)	Eastleigh Borough Council Inquiry Document
EBLP	Eastleigh Borough Local Plan 1991-2001, adopted July 1997
EBLP Inquiry	Eastleigh Borough Local Plan Inquiry 1995
EBLPR	Eastleigh Borough Local Plan Review (2001-2011)
FPC	Further Proposed Change to the Plan
GO-SE	Government Office for the South East
ha	hectare
HCSP	Hampshire County Structure Plan 1996-2011 (Review)
ICNIRP	International Commission on Non-Ionizing Radiation Protection
Inquiry	Eastleigh Borough Local Plan Inquiry 2004
LDF	Local Development Framework
LNR	Local Nature Reserve
LTP	Local Transport Plan
m	metre
NPFA	National Playing Fields Association
PIC	Pre-Inquiry Changes to the Plan (CD7), October 2003
Plan period	2001-2011
PMM	Plan, Monitor and Manage
PPG	Planning Policy Guidance
PPS	Planning Policy Statement
Proposals Map	Eastleigh Borough Local Plan Review (2001-2011) Proposals Map
Region	South East Region
RPG	Regional Planning Guidance
RPG9	Regional Planning Guidance for the South East, March 2001
RSL	Registered Social Landlord
RTRA	Road Traffic Reduction Act
Second Deposit Draft	Eastleigh Borough Local Plan Review (2001-2011) Second Deposit May 2003
SHRT	South Hampshire Rapid Transit
SINC	Site of Importance for Nature Conservation
SPD	Supplementary Planning Document
SPG	Supplementary Planning Guidance
sq m	square metre
SSSI	Site of Special Scientific Interest
SUDS	Sustainable Drainage Systems
The Plan	The emerging Eastleigh Borough Local Plan Review (2001-2011)
TPO	Tree Preservation Order

INTRODUCTION

INTRODUCTION

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *omission of an overall strategy and summary of the housing position*
- *whether paragraph 21 is wrong and misleading*
- *need for a reference to the historic environment*
- *whether the term Special Policy Area should be replaced*
- *need for an environmental appraisal*
- *need to ensure that photocopied maps will be clear*
- *whether list of technical authors should be deleted*

Inspector's Considerations and Conclusions

INT.1. The Introduction to the Plan gives a brief overview of the challenges facing the Borough, the context, purposes and objectives of the Plan and the stages of its preparation.

INT.2. The objections concerning the housing strategy and the omission of a summary of the housing position are interrelated with those considered in Chapter 5 of this report. My recommendations in Chapter 5 deal with the housing strategy and the 10-year supply issue. I consider that a consequential modification should be made to Paragraph 17 of the Introduction to the Plan to summarise the HCSP housing requirement for the Borough.

INT.3. Concern is raised that paragraph 21 misleads by suggesting that only the Council's housing strategy would deliver benefits to Eastleigh town centre, whereas the MDA would deliver significant benefits. I deal with the objections regarding the MDA in Chapter 5 of this report but agree with the Council that the addition of the words 'It is the Council's expectation that...' to the opening sentence of paragraph 17 would be an appropriate response to the objections.

INT.4. The Council accepts that paragraph 20 should include a reference to the need to protect and enhance the historic environment. I consider that this would address the objection and I recommend accordingly.

INT.5. An objector raises concern about the potential confusion between the Plan's Special Policy Areas (for example at Old Bursledon) and the international nature conservation designation of Special Protection Areas (SPAs). However, I agree with the Council that the balance of advantages rests with retaining the term 'Special Policy Area' in the Plan since it is widely understood in the Borough context and does not entail any overlap with areas that are designated as an SPA for nature conservation reasons.

INT.6. A sustainability appraisal of the Second Deposit Draft Plan has been carried out and published as CD25. I consider that this addresses the earlier objection.

INT.7. The Council accepts the need to ensure that all plans and maps within the finally adopted Plan are designed to facilitate clear, legible photocopies. I concur and this would address the related concern.

INT.8. Finally, the Council accepts in response to an objection that the Plan should not include a list of the main technical authors of the document. I concur and recommend accordingly.

Recommendations

INT.9. As a consequence of my recommendations on the overall housing strategy in Chapter 5 of the report, paragraph 17 of the Introduction to the Plan be modified by the inclusion of a summary of the HCSP housing requirement for the Borough.

INT.10. The first sentence of paragraph 17 be modified to commence as follows:
`It is the Council's expectation that the great majority....'.

INT.11. A new bullet point be inserted in paragraph 20 to refer to the conservation or enhancement of the historic environment.

INT.12. The Proposals Map and plans within the finally adopted Plan should be designed to facilitate clear, legible photocopies.

INT.13. The Plan be modified to delete the section entitled `Main Technical Authors and Contributors' in paragraph 24.

INT.14. No other modification be made to the Plan in response to these objections.

CHAPTER 1

THE COUNTRYSIDE

Paragraph 1.1: Countryside Objectives

Objections

See Appendix A for the list of objections on this matter

Main Issue

- *whether 'genuine development need' should be defined*

Inspector's Considerations and Conclusions

- 1.1. Paragraph 1.1 sets down the Council's three objectives for the Countryside. These are its protection from inappropriate development, the improvement of access to the countryside, and facilitation of more positive management of areas where agriculture may be in decline.
- 1.2. With regard to the main issue, as the Council has indicated in EBC179, the policies in the Plan inform the reader about the circumstances and factors that would be taken into account in determining genuine development need. It is for the decision-maker to interpret the policies in the Plan and judge each proposal upon its own merits. As such it would not be appropriate to set detailed and highly prescriptive objectives.

Recommendation

- 1.3. No modification be made to the Plan in response to this objection.

Policy 1.CO: Protection of the Countryside

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *need for separate policies on agriculture, tourism etc.*
- *consistency with other policies and proposals in the Plan*
- *justification for site-specific amendments to the defined urban edge*
- *incorporation of proposed greenfield sites within the urban edge*
- *need to provide for established sports clubs*
- *need to provide for County Council services such as schools*
- *need to provide for new healthcare facilities*

Inspector's Considerations and Conclusions

- 1.4. In accordance with Policy 1.CO, all areas outside the defined urban edges are regarded as countryside and are subject to the restrictions on development considered appropriate in the countryside. Four broad categories of acceptable development are set out in the policy's criteria.
- 1.5. On the first issue, an objection seeks separate policy treatment for agriculture, tourism and other issues in the countryside. The Plan contains a chapter on Tourism and the Arts and my conclusions on objections under that heading are relevant to this case also. Nonetheless, it is unnecessary for the Plan to go any further in separating policy issues on a topic basis. The Plan should be read as a whole and it strives to provide an integrated policy framework for the consideration of development proposals, wherever they arise. In my view this is generally the correct approach.
- 1.6. Concerning the second issue, the objections about potential inconsistency between Policy 1.CO and other policies and proposals in the Plan have been resolved in my view by the revised wording of criterion (iv) as put forward in the Second Deposit Draft. There is no need for specific cross-references to other policies in the Plan since the document should be read as a whole.
- 1.7. With regard to the third issue, a number of site-specific objections seek changes to the defined urban edges in order to facilitate development other than that which would accord with Policy 1.CO. Many of these¹ are linked with objections to the Housing policies of the Plan and are considered in Chapter 5. The objections in respect of Pavilion Close, Fair Oak are

¹ The following are considered in Chapter 5: north of Mortimers Lane, Fair Oak, including The Gore; Whitetree Farm, Fair Oak; land to the west of Horton Heath; Stocks Farm, Fair Oak; Peartree Farm, Crowdhill, Fair Oak; Windhover, Bursledon; south of Mallards Road, Bursledon; Moorgreen Farm, West End; Wide Lane, Eastleigh (see under Policy 83.H); Ploverfield, Bursledon (see under Church Road); Dumper's Drove, Horton Heath; Upper Northam Close; Pylands Lane (including North of Pylands Lane), Hedge End; Heath House Lane, Hedge End; Little Hatts Copse, Hedge End; Bridge Road, Bursledon; west of Romill Close, West End; Dowd's Farm, Hedge End; South of Lapstone Public House, Fair Oak.

considered in the Maps Chapter. An objection by BARG to moving the urban edge north of Allbrook is based on incorrect information and no modification is necessary in this respect.

- 1.8. I set out below my conclusions in respect of the other site-specific objections:-
- 1.9. Riverside Park, Hamble-le-Rice: This objection concerns a residential and holiday caravan site that is located on the northern fringe of Hamble-le-Rice. In my view the site has a rural character and appearance that differs from the built-up area of Hamble to the south. Its location in close proximity to the Hamble Estuary and to a designated SSSI and a SINC are additional factors that are likely to constrain the development potential of this area. It is appropriately excluded from the urban edge since this establishes that it is not suitable for general development purposes. I find no reason why the existing policy framework would be inadequate to deal with any future development proposals on this site. A separate land use designation as a caravan park would be neither helpful nor appropriate.
- 1.10. North of Moorgreen Road, West End: these objections seek the inclusion of a small area of land to the rear of a ribbon of dwellings on Moorgreen Road. The land is currently used as gardens and paddocks. The urban edge in this location was considered at the EBLP Inquiry and I find no reason to differ from the Inspector's conclusion at that time. In this area the urban edge has been drawn tightly along the back of the houses, which is in contrast to the development in depth adjacent to the motorway. This narrow finger of urban edge correctly reflects the gradual tapering out of development into the countryside along this stretch of Moorgreen Road. Its extension to create a wider band of development at the objection site would appear as a harmful intrusion into the countryside in this sensitive location and I do not consider that this harm would be outweighed by the modest contribution to housing numbers that could be made.
- 1.11. Garden of 171, Moorgreen Road: this site lies at the eastern end of the ribbon of housing referred to above. Its incorporation within the urban edge would be likely to encourage pressure for an extension of development into the countryside for which there is inadequate justification.
- 1.12. West Road/Upper Northam Drive: the objection refers to a ribbon of housing on Upper Northam Drive and a cul-de-sac development on West Road. Both lie within the designated Strategic Gap between Hedge End and Southampton. In my view they form part of the relatively fragmented and isolated development within the sensitive open area between the settlements. It is important to protect against coalescence and intensification of development in this area in order to retain the separate identity of Hedge End and Southampton. In any event, further development in this area would not be readily integrated with existing community services and facilities because of the severance effects of the surrounding major road network.
- 1.13. Lapstone Farm, Fair Oak: The objection seeks the exclusion of the southern

half of the curtilage of Lapstone Farmhouse from the countryside and Local Gap designation. This land is part of a domestic garden but is nonetheless part of an area of open, undeveloped land which continues the Local Gap north as far as the Farmhouse and is visible from Botley Road. A number of new houses have been constructed to the north and east of the objection site since the boundary of the urban edge was last reviewed before the adoption of the 1997 Local Plan. These dwellings appear as prominent features which emphasise the change of character between the countryside and the urban edge. Any development immediately to the south of Lapstone Farmhouse would be highly visible, particularly from the south and from Botley Road. I consider, therefore, that including the objection site within the urban edge would lead to an encroachment of the settlement into this sensitive rural area and would visually and physically erode the very narrow Local Gap between Fair Oak and Horton Heath.

- 1.14. Hillside, Dodwell Lane: the objection refers to a site of about 0.45ha that is part of the designated Strategic Gap between Hedge End and Southampton. I agree with the Council that there is no justification for incorporating this land within the urban edge. To do so would lead to intensification of development in a very sensitive, generally open area that plays an important role in maintaining the separation of settlements.
- 1.15. Coniger Nurseries, Bishopstoke Road: this site, on the southern side of Bishopstoke Road, lies in the Itchen Valley and within the designated Local Gap between Eastleigh and Bishopstoke. It also adjoins land that is designated for its nature conservation importance. The site is an important part of the open countryside that provides a setting for Eastleigh and helps to maintain the separate identity of Bishopstoke. I find no adequate justification for a change to its current policy designations.
- 1.16. Withy Meadows, Dutton Lane, Eastleigh: in response to an earlier objection, Map 46 in the Schedule of Revisions to the Proposals Map amended the urban edge to include commercial premises at Withy Meadows. A further objection argues that an area used for storage, together with the house and garden, should also be included within the urban edge. The area used for storage lies immediately to the east of the commercial land and is separated from it by an established line of trees and vegetation. It has some hard surfacing but does not appear to be intensively used, and it has a predominantly open and rural character and allows views across the adjacent open countryside to the east. The house and garden area, even though developed, are open to the north and east and have a tranquil rural setting. The commercial premises have a functional character and relate to the railway yards to the west, but I do not consider that the storage or residential parts of the site have urban characteristics or a close relationship with the adjacent urban area. Indeed they provide an effective buffer and screen between the countryside and the commercial area. I acknowledge that all the land is in the same ownership, but this does not necessarily mean that parts of the site which have an inherently different character should be treated in the same way. Any intensification of built form on these two areas would in my view be harmful to the character of the countryside, the Local Gap and to the adjacent SSSI.

- 1.17. Land at Stoneham, adjacent to Junction 5 of the M27: The objection site lies immediately to the south-west of Junction 5 and is currently used as playing fields and open space. It forms part of the designated Strategic Gap between Eastleigh and Southampton and is a particularly prominent open area in the views from the surrounding road network. The objectors seek employment development on this land but I have concluded elsewhere that there is no need for additional employment land to be identified in the Plan. There is no justification for removing the protective policy designations from this land and to do so would conflict with the objective of the County Council's own policy, G1, in regard to the Strategic Gap.
- 1.18. Wyvern, Thornden and Bursledon Schools: this objection seeks the incorporation of the entire campuses of these schools within the urban edge. However, I agree with the Council's approach in these cases. Each of the schools is sensitively located on the edge of a settlement and it is important that their predominantly open areas, including playing fields, are protected from inappropriate development. Policy 1.CO would not prevent appropriate extensions to the existing school facilities.
- 1.19. Land at Otterbourne Hill: this land is adjacent to junction 12 of the M3 and lies between Otterbourne Hill and Boyatt Crescent. The objection seeks a Special Policy Area designation to enable mixed use development for employment, residential and open space purposes. A large part of the site is identified as a Site of Importance for Nature Conservation and the objector's intention is to conserve and enhance this area in a manner compatible with the designation. Nonetheless, I do not consider that any nature conservation benefits would outweigh the loss of this open countryside in a sensitive location on the fringe of Eastleigh. The site is also relatively remote from existing community facilities and services and its development for business or residential use would be likely to give rise to increased levels of car-dependency. More appropriate locations have been identified in the Plan for these uses and there is therefore insufficient justification to release this land.
- 1.20. Stoke Park Lane, Bishopstoke: this land extends north-eastwards into the countryside from the edge of Bishopstoke. A Site of Importance for Nature Conservation wraps around it to the north-west and north. The objection site is not well-related to the built-up area of the settlement and would, if developed, entail a prominent incursion into the countryside. I find no adequate justification for incorporating this site into the urban edge.
- 1.21. Woodhill School: An objection seeks the inclusion within the urban edge and the removal of Local Gap designation from an area of land to the west of Botley. The site includes the Woodhill School buildings, its car park, playground and part of the wider area of land in its ownership, together with the Masonic Hall and a number of other dwellings to the east of the school. The Local Gap between Botley and Hedge End is narrow, but despite scattered development along Botley Road it retains a predominantly undeveloped, rural character and is effective in providing visual separation between the two settlements. Even though part of the objection site is developed, the buildings are arranged loosely within the landscape and have a spacious appearance which contrasts with the tight-knit

development in the built-up part of Botley. In particular the school building has a close relationship with the open land immediately to the south, all of which is in the school's ownership and while only the part closest to the school is within the objection site, the entire area has a strong rural character. The well-established tree screen along the northern and western boundaries of the objection site contributes to the rural character of the Local Gap. Despite its proximity to Botley, the objection site is visually separated from the built-up area by mature trees and by the recreation ground and does not, in my view, read as a continuation of the settlement. Thus, I consider that the objection site contributes to the Local Gap and that its inclusion within the urban area, creating a presumption in favour of development, would visually diminish the gap. The area to the west of Broad Oak contains a small, self-contained pocket of commercial and residential development which, whilst excluded from the Local Gap, remains in the countryside. I consider that extending the urban area to include the objection site would lead to the visual connection of this pocket of development with Botley, thereby further eroding the Local Gap.

- 1.22. Land at Allington Lane: the objections refer to land off Allington Lane at Seddul-Bahr, and also to frontage development along the lane. In respect of the latter, I consider that there is no justification for intensified development in what is essentially a pattern of sporadic development along the lane. This area is part of one of the few major tracts of countryside in the Borough, and its designation as countryside is an appropriate recognition of its character and importance. Any encouragement for infilling or intensification by the incorporation of plots within the urban edge would be in conflict with the objectives of this designation. So far as the larger area of land is concerned, the same considerations apply with even greater force. The existence of scattered pockets of employment and other development in the countryside should not be regarded as justification for further development around them. With regard to the MDA, this matter is considered under HEXC in the Housing Chapter. But if at some future date it proved necessary to develop an MDA in the Allington area, the objection proposals would, if allowed, be likely to frustrate the proper planning and development of the area in the longer term.
- 1.23. Boundary Acre, Dodwell Lane, Hedge End: the objections relate to a rectangular parcel of land at the rear of existing residential development. This parcel is subject to a management plan pursuant to a planning permission granted for the housing development. The area is within the Strategic Gap between Hedge End and Southampton and the well-treed site is clearly part of the narrow belt of open land in this section of the gap. There is no adequate justification for reviewing the protective policy designations in this case.
- 1.24. So far as the fourth issue is concerned, the Plan treats proposed greenfield sites as Special Policy Areas; these are retained outside the defined urban edge for the time being. Once the development has been completed the urban edge would be re-drawn to include the sites at the next review of the Plan. In my view this approach is acceptable; it maintains planning control over the sites until the detailed scheme for their development has been approved and implemented.

- 1.25. On the fifth issue, some objections are concerned with the perceived difficulty in securing improvements to existing sports facilities in the countryside, given the terms of Policies 1.CO and 2.CO. Particular issues have been raised in respect of the Southampton Institute's playing fields at Hardmoor and regarding Eastleigh Football Club's ground. I appreciate the desire to improve existing facilities so that they can meet current and future demands, but I do not find sufficient justification for an amendment to the policy criteria or for specific new policies for these sites. Notwithstanding that special policy area status has been accorded to some other sites in the Plan, it seems to me that the reasonable improvement of outdoor sports facilities would not be prevented by Policies 1.CO or 2.CO. It has already been demonstrated in respect of the permission granted for improvements on the Eastleigh Football Club site that location within the strategic Gap is not an impediment to such development. And in the interests of a concise Plan I do not agree that additional policies on site-specific cases would be either necessary or helpful.
- 1.26. With regard to the sixth and seventh issues, the policy (as amended) specifically allows for appropriate extensions to existing school or health facilities or the provision of essential public utility services in the countryside that cannot be located within the urban edge. In my view this framework gives adequate consideration to the needs of service providers, including the County Council, while maintaining the correct policy presumption against general development in the countryside. It would be inappropriate and unnecessary to add to the list of 'exceptions' as sought in the objections. For this reason also I find no justification for any policy encouragement for the provision of new healthcare facilities in the open countryside. Such development should be directed to urban areas in the interests of sustainability.

Other Matters

- 1.27. The objections seeking a policy exception for the extension of domestic gardens into the countryside are not upheld. To do so would undermine the policies that seek rightly to protect the countryside for its own sake. And in Eastleigh Borough such a relaxation could have a particularly harmful impact by eroding the fragile countryside character and appearance of areas that are under particular pressure from urban expansion.

Recommendation

- 1.28. No modification be made to the Plan in response to these objections.

Policy 2.CO: Strategic Gaps

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *need for separate policy treatment for strategic and local gaps*
- *whether the policy is properly justified or unduly restrictive*
- *provision for the needs of established sports clubs*
- *need to delete specific sites from the strategic gaps*
- *downgrading of Botley-Hedge End gap to local gap status*
- *extent of local gap to south of Botley*
- *need for a local gap between West End and north of motorway*
- *need for a strategic gap between West End and Hedge End*

Inspector's Considerations and Conclusions

- 1.29. Policy 2.CO states that planning permission would not be granted for a development that would physically or visually diminish a strategic gap as identified on the Proposals Map. This entails a revision of the policy in the First Deposit Draft to refer only to strategic gaps. The Second Deposit Draft contains a new Policy 3.CO that deals with local gaps. As a result, the objections that request separate policy treatment for strategic and local gaps have been resolved. However, the Proposals Map will also require amendment to distinguish between the areas to which Policies 2.CO and 3.CO would apply.
- 1.30. A number of the site-specific cases in the objections are inter-linked with objections to Policy 1.CO and/or to proposals for housing/mixed use development. These are taken into account elsewhere in the report and I shall not repeat my conclusions here.²
- 1.31. The objection is made that the policy appears to conflict with the advice in PPG7 (as extant at the time of lodging the objection) that local designations should carry less weight than national designations, and that local gap designations should only be maintained or extended where there is good reason to believe that normal planning policies cannot provide the necessary protection. There is also concern that the policy and paragraph 1.5 of the reasoned justification are unduly restrictive in respect of

² The objections in respect of Moorhill, West End, Uplands Nursery, Botley, land south of Horton Heath (Blind Lane), the local gap boundary between Fair Oak and Horton Heath, the Hedge End-Horton Heath local gap, Hammerley Farm, Horton Heath, Windhover, Bursledon, Pinewood Park, Kane's Hill, south of Mallard Road, Bursledon, north of Pylands Lane, Heathhouse Lane, Little Hatts Copse, Bridge Road, Bursledon, west of Romill Close, and west of Hamble Lane are taken into account with the linked objections on housing omission sites under HEXC in Chapter 5. The objections in respect of Lapstone Farm, Hillside, Dodwell Lane, Woodhill School, Upper Northam Close, Boundary Acre, Dodwell Lane are taken into account with linked objections under Policy 1.CO above. The objection regarding land at Wide Lane is taken into account under Policy 83.H.

- development for agriculture or recreational purposes within a strategic or local gap, as this could limit or prevent opportunities for farm diversification.
- 1.32. However, the strategic gap policy is based on the HCSP Policies G1 and G2. These policies seek to prevent coalescence and the protection of the separate identity of settlements. In my view they have a strategic planning role that is not strictly comparable with local landscape designations referred to in PPS7 (2004). In any event, I do not consider that it would be appropriate for the Council to review the need for their retention at this stage. This is a task that would be better left for the Local Development Framework documents which will come forward in the light of the emerging regional and sub-regional guidance. Nonetheless, I would expect that the future planning policy framework for wider area will take account of the advice in PPS7, including paragraph 26 which is concerned with the countryside around urban areas.
- 1.33. So far as the restrictiveness of the policy is concerned, I note that its wording has been carried forward from the EBLP and I am not aware of any evidence that its application has hindered reasonable diversification of farm businesses or recreational development in the area. Policy 5.CO generally encourages proposals for farm diversification and any particular application would be judged against all of the relevant policies, balancing any apparent conflict between objectives where necessary.
- 1.34. The concerns about the effect of the policy on established sports clubs overlap with the matters considered under Policy 1.CO above. As I conclude there, there is evidence that the policy is not being applied in a way that would prevent the reasonable improvement of outdoor recreational facilities in the strategic gap.
- 1.35. There is concern that the Botley-Hedge End gap is no longer defined as a strategic gap in the Plan. However, this reflects Policies G1 and G2 of the HCSP which do not include this amongst the list of strategic gaps. Therefore it is not within the scope of the Plan to designate the Botley-Hedge End gap as a strategic one, although it is identified as a local gap under Policy 3.CO.
- 1.36. Dealing with a contrary objection that the local gap designation should be removed from land to the south of Botley, I note that the precise delineation of the gap³ was fully considered at the EBLP Inquiry when it was concluded that it was appropriate for its southern boundary to follow footpath No 11. I find no reason to differ from the previous Inspector's conclusion and there are no other circumstances that suggest a need to amend the boundary.
- 1.37. With reference to the objection that a local gap should be defined between West End and the area north of the M27, this forms part of a wider tract of countryside that is protected by Policy 1.CO. Had an MDA at Allington been proposed in the Plan the Council has indicated that it would have

³ albeit at that time the gap being considered was a strategic gap, since it pre-dated the review of the strategic gaps that underpinned Policies G1 and G2 of the HCSP as adopted in 2000.

considered the need for a local gap in the location proposed. However, I agree that in the current circumstances, Policy1.CO would give adequate protection to the area concerned.

- 1.38. The objection that there should be a strategic gap between West End and Hedge End is noted. However, there is already a defined strategic gap in this area that extends as far north as the junction of Tollbar Way and Bubb Lane. This boundary was considered at the EBLP Inquiry and, bearing in mind the terms of Policy G2 of the HCSP, I find no reason to suggest any amendment of it.

Recommendations

- 1.39. The Proposals Map be modified to distinguish clearly between the areas to which Policies 2.CO and 3.CO would apply.
- 1.40. No other modification be made to the Plan in response to these objections.

Policy 3.CO: Local Gaps

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *whether the policy is subjective and unduly restrictive*
- *implications for public service sites*
- *proposals for the Fair Oak-Horton Heath gap*
- *need to exclude land at Allington Lane*

Inspector's Considerations and Conclusions

- 1.41. Policy 3.CO is a new policy in the Second Deposit Draft that deals separately with local gaps. It states that planning permission would only be permitted for appropriate development in a local gap if it could not be acceptably located elsewhere and it would not diminish the gap, physically or visually. The reasoned justification lists the individual local gaps. However, as noted above under Policy 2.CO it will be necessary to modify the Proposals Map to make clear which areas are subject to either Policy 2.CO or 3.CO.
- 1.42. There are objections that the policy is too restrictive and subjective and that it should make provision for public service sites. In my view however, it is reasonable for the policy to seek to direct development to a less sensitive location if appropriate and I do not consider that criterion (i) is either unduly restrictive or subjective or that it would give the Council too much latitude in applying the policy. Clearly each case would be considered on its merits. With reference to public service providers, criterion (iii) of Policy 1.CO makes provision for certain limited development in the countryside and I have concluded above that this is an appropriate response to these needs. Reading both of the policies together it seems clear that there is no inconsistency between Policy 3.CO and criterion (iii) of Policy 1.CO, and therefore I consider that the policy framework takes account of and would not prevent a public service provider carrying out appropriate development in a local gap.
- 1.43. The concern about the Plan's proposals for the local gap to the west of Horton Heath appear to relate to Plan 2 in the Second Deposit which suggests that some parts of the gap are to be deleted. However, the Council has made clear that the boundary of the Fair Oak-Horton Heath Local Gap will go back to that identified in the adopted EBLP (1997); this resolves one of the objections. In regard to the other, I have recommended elsewhere that the Allington MDA should not be included in the Plan and therefore I consider that there is no justification for deleting any lands to the west of Horton Heath from the existing local gap.

- 1.44. The objection that land at Allington Lane, West End should be removed from the strategic gap appears to be based on the misunderstanding that this lies within the Eastleigh-Southampton gap. However, the Proposals Map makes clear that this area of countryside is subject to Policy 1.CO but does not lie within a designated gap. I have concluded above that this area should remain subject to Policy 1.CO.

Recommendation

- 1.45. No modification be made to the Plan in response to these objections.

Policy 4.CO: Agricultural Land

Policy 5.CO: Farm Diversification

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *whether paragraph 1.7 requires clarification*
- *whether Policy 4.CO is too restrictive*
- *whether the word 'suitable' should be defined in Policy 5.CO*

Inspector's Considerations and Conclusions

- 1.46. Policy 4.CO seeks to protect the best and most versatile land, as defined by the Agricultural Land Classification. Policy 5.CO is a criteria-based policy which sets down the factors that will be taken into account when determining planning applications in conjunction with farm diversification.
- 1.47. With regard to the first issue, the Council has qualified its approval for rural sports in paragraph 1.7 by adding the word 'appropriate'. Each application must be judged on its merits and while in most cases quiet enjoyment of the countryside is preferred, innovation in the leisure and recreation industry should not be stymied. I am satisfied that the addition of the word 'appropriate' allows the Council to take into account the needs of the rural economy and the protection of the countryside in terms of its amenity and landscape more generally.
- 1.48. In respect of the second issue, PPG7 was replaced by PPS7 in August 2004. Paragraphs 28 and 29 of PPS7 deal specifically with development that affects the best and most versatile agricultural land. The guidance states that local authorities should take into consideration a wide range of factors including biodiversity, landscape quality, heritage interest and accessibility, as well as the protection of the land as a natural resource. The guidance goes on to state that the best agricultural land should be protected from speculative development and that lower quality land should be used first. In response to the objections made to the First Deposit Draft the Council added additional text to Policy 4.CO in order to allow greater flexibility and for other sustainability considerations and the availability of lower quality land to be taken into account. However, the word 'no' appears to have been inserted in error before 'over-riding'. Subject to its deletion, I consider that the amended policy would comply with the new guidance in PPS7 and that it addresses the related objections.
- 1.49. Turning to the third issue, the Council has redrafted Policy 5.CO as a criteria-based policy at the Second Deposit stage and has qualified the word 'suitable' by adding the words, 'for the location' at the end of the

third criterion. This allows the scale, type and form of any proposal to be judged according to its surroundings. It would not be appropriate to define these matters in a policy on a Borough-wide basis and across a varying landscape. No further amendment is required in response to the related objection.

Recommendations

- 1.50. Policy 4.CO be modified by the deletion of the word 'no' before 'overriding'.
- 1.51. No other modification be made to the Plan in response to these objections.

Policy 6.CO : Agricultural Workers' Dwellings

Policy 7.CO: Removal of Occupancy Conditions

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *whether temporary permissions for mobile homes should be restricted in the Old Bursledon SPA*
- *whether references to the size limit of 100sq m and single-storey should be deleted from Policy 6.CO*
- *whether Policy 6.CO and the supporting text are ambiguously worded*
- *whether Policy 7.CO is unduly onerous*
- *whether Policy 7.CO and the supporting text are ambiguously worded*

Inspector's Considerations and Conclusions

- 1.52. Policy 6.CO sets out criteria which must be satisfied by proposals for new dwellings in association with the operational needs of agricultural enterprises. Policy 7.CO is also a criteria-based policy about the conditions which must be met in order for an agricultural occupancy condition to be removed.
- 1.53. As the Council has stated, the Old Bursledon SPA is dealt with under a specific policy elsewhere in the Plan. It is up to the Council to determine whether or not a proposal for a new or renewed temporary planning permission is acceptable based on the merits of the individual case. Once a temporary permission has expired it is the responsibility of the Council to ensure that either a new permission is sought, or enforcement action is pursued. The changes sought by the related objection would be too prescriptive and as such no modification should be made to the Plan.
- 1.54. The specific size limit imposed by criterion (i) of Policy 6.CO is not justified either in the supporting text or by national guidance in PPS7. Annex A, paragraph 9 of PPS7 states that it is the requirements of the enterprise, rather than those of the owner that are relevant in determining the size of a dwelling. In light of this latest guidance the arbitrary figure of 100sq m and the reference to single-storey dwellings in the policy should be removed in favour of an approach which directly links the stated needs of the enterprise with the size of the dwelling. I recommend modification of criterion (i) of Policy 6.CO accordingly.
- 1.55. In respect of the third issue, the Council has amended the first sentence of Policy 6.CO to make clear that all of the criteria must be satisfied. This resolves the objection on the matter. The objection to the word 'dwelling'

in criterion (i) would be resolved by my recommendation below to delete the final sentence of the criterion. Criterion (ii) of Policy 6.CO has been amended in the Second Deposit Draft to make it clear that the onus is on the developer to demonstrate that the viability of the enterprise is sound and enduring, and that the proposal is essential in that context.

- 1.56. Definition of the phrase 'within a reasonable distance' in criterion (iv) of Policy 6.CO is not required. What constitutes 'reasonable' will depend on the accessibility of the holding in relation to the existing off-site occupational dwelling. Each proposal must be determined on its merits and the policy should not seek to prescribe a particular distance or area of search. Similarly, definition of the term 'locally' in paragraph 1.12 is not required. The onus is on the developer to provide evidence that the occupier of the new dwelling has strong connections to the locality and the Council will be able to scrutinise this evidence at the time the application is made.
- 1.57. With regard to the fourth issue, I agree with the objectors that it is not appropriate for the Council to require owners of occupational dwellings to offer their properties to RSLs as affordable housing. The Council is correct in saying that the purpose of occupational dwellings is to meet the needs of a selective market. However, that need is an operational, area-wide need related to agriculture and not to the need for affordable housing in the Borough generally. PPS7, Annex A, paragraphs 16 and 17 state that restrictive occupancy conditions should only be maintained on a property until such time as the need no longer exists. In the light of this guidance, once the need to maintain the property in conjunction with the related business is demonstrably gone and the property cannot be used to meet the operational needs of a business elsewhere in the area, then it is unreasonable to prevent such properties from being sold on the open market. The final paragraph of Policy 7.CO and all references to meeting affordable housing needs in paragraph 1.13 should be deleted.
- 1.58. Turning to the fifth issue, the term 'locality' does not require definition in the context of criterion (i) of Policy 7.CO. Any person who 'qualifies' as in need of a dwelling related to their work in an agricultural or forestry enterprise would have to work nearby to benefit from the location. PPS7, Annex A, paragraph 17 states that the need for an occupational dwelling in the countryside should be considered on an area-wide basis and not just in relation to the specific business. As such there is no requirement for the policy to specify what constitutes 'local'. It would depend on the relative isolation of the business concerned and its accessibility to the subject dwelling. In response to the objection to the words 'reasonable efforts' in criterion (ii) of Policy 7.CO, the Council has amended the text of the criterion to state 'every reasonable effort', in accordance with the related objection. On this issue therefore, no modification is required.

Recommendations

- 1.59. Criterion (i) of Policy 6.CO be modified so that the last sentence which refers to size and height restrictions be deleted and the first sentence

modified to read, "the size, design and layout of the proposed dwelling is appropriate to the landscape characteristics of the locality and the scale and nature of the enterprise and the identified operational need."

- 1.60. The Plan be modified by the deletion of the final paragraph of Policy 7.CO and the second sentence of paragraph 1.13 of the reasoned justification.
- 1.61. No other modification be made to the Plan in response to these objections.

Policy 8.CO: Replacement Dwellings in the Countryside

Policy 9.CO: Extensions to Dwellings in the Countryside

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *need for a definition of 'original' in First Deposit paragraph 1.14*
- *whether Policy 8.CO is too prescriptive*
- *whether Policy 8.CO is sufficiently clear in its intent*
- *whether Policy 9.CO is ambiguous or unduly prescriptive*
- *whether Policy 9.CO should allow for the development of basements or rooms in the roof*
- *whether criterion (iv) of Policy 9.CO should relate to the whole development, not just the dwelling*
- *treatment of agricultural dwellings in Policy 9.CO*

Inspector's Considerations and Conclusions

- 1.62. Policy 8.CO is a criteria-based policy which seeks to restrict the size of replacement dwellings in the countryside and control the design and impact of the new dwelling on the surrounding landscape. Policy 9.CO is also a criteria-based policy that aims to control the size, design and impact of extensions to existing dwellings in the countryside.
- 1.63. The amendments made in the Second Deposit Draft include the deletion of some text in paragraph 1.14, including the word 'original'. This removes the alleged ambiguity referred to by the objector and no modification is therefore necessary in this respect.
- 1.64. The Council has deleted all references to the specific size limitation of replacement dwellings from the supporting text in the Second Deposit Draft. I note the Council's response to the objections which states that the second bullet point of the second criterion of the policy should also have been shown as deleted. I agree that this is necessary and consider that the increased flexibility offered by the policy allows each application to be considered on its merits according to its design and appearance in the landscape. The related objections would be satisfied on this basis. For reasons of clarity I cover this point in my recommendations because there is no reference to the error in CD4.
- 1.65. In respect of the third issue, the text added to Policy 8.CO in the Second Deposit Draft clarifies that all of the criteria must be satisfied. I consider that this resolves the objection.
- 1.66. A number of amendments to Policy 9.CO in the Second Deposit Draft

improve the clarity and flexibility of the policy. In my view these generally resolve the objections about ambiguity and prescription, subject to my comment in respect of criterion (i) below.

- 1.67. With regard to the fifth issue, the Council has added a new paragraph to the supporting text (1.16) which requires applicants to consider the use of basements and rooms in the roof. In my view this satisfactorily addresses the related objection.
- 1.68. Policy 9.CO deals specifically with extensions to a dwelling. Therefore any structure which forms part of the dwelling, materially changes the exterior of a dwelling house and exceeds permitted development rights, including a garage, would be subject to this policy. No modification is required in response to the related objection.
- 1.69. In respect of the final matter, it is appropriate and reasonable for the Council to ensure that the size and affordability of agricultural workers' houses, which are subject to an occupancy condition, remain affordable on the open market. The Council may depart from the provisions of the Plan and allow extensions to such properties if it can be adequately justified. The primary purpose of agricultural occupancy conditions is to ensure that housing is made available on a permanent basis to meet the operational needs of agricultural enterprises, not the particular needs of individuals or families. This complies with guidance in PPS7, Annex A, paragraph 9 which states that agricultural dwellings should be of a size commensurate with the established functional requirement. Therefore I do not agree that criterion (i) of the policy is unduly prescriptive.

Recommendations

- 1.70. The Plan be modified by the deletion of the second bullet point of the second criterion of Policy 8.CO, in accordance with the Council's proof EBC 024.
- 1.71. No other modification be made to the Plan in response to these objections.

Policy 10.CO: Replacement of Non-Residential Buildings in the Countryside

Policy 11.CO: Extensions to Non-Residential Buildings in the Countryside

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *justification for volume restriction in Policy 10.CO*
- *need for reference to boatyards in Policy 10.CO*
- *needs of operational services provided by the County Council*
- *clarity of Policies 10.CO and 11.CO*
- *justification for prohibition on subdivisions*

Inspector's Considerations and Conclusions

- 1.72. Policy 10.CO is a criteria-based policy which seeks to control the replacement of non-residential buildings outside of the urban edge. Similarly, Policy 11.CO aims to control extensions to non-residential buildings outside of the urban edge.
- 1.73. I agree with the objection that there is an inherent contradiction between Policies 10.CO and 11.CO and as a result that there is a disincentive to replace buildings in the countryside. There *is* a need to control the size of replacement buildings in the interests of protecting the landscape and ensuring that the use of the replacement building is appropriate in its countryside location. But prohibiting any increase in volume is too blunt an instrument and fails to acknowledge that well-designed replacement buildings can have a less significant physical impact upon the landscape, even if the replacement building has a greater overall volume. The volume limit imposed by criterion (ii) of Policy 10.CO should be deleted and replaced by a reference to 'appropriate scale'. The remaining criteria already contain provisions which deal with design, impact on the landscape and traffic generation and therefore should remain.
- 1.74. Turning to the second issue, the policy relates to buildings and not uses. The Plan acknowledges the distinct role played by boatyards in the local economy by including a separate Policy 140.E which controls the impact of boatyard activities upon the river and wider landscape, in particular the designated areas along the river. I am satisfied that circumstances exist which merit a separate policy dealing with boatyards.
- 1.75. The objection that Policy 10.CO requires rewording to take account of

redevelopment requirements for operational services provided by local authorities is not accepted. Policies should be concise and plans should be read as a whole. It is also not appropriate to specify where exceptions might be made to policies. I am satisfied that the Plan gives reasonable flexibility to meet the needs of the County Council and other public service providers, and Policy 1.CO in particular makes explicit reference to this matter.

- 1.76. In respect of the fourth issue, the Council has added text to the beginning of both policies which clarifies that all of the criteria should be satisfied. No modification is therefore necessary in response to the original objections.
- 1.77. Criterion (iv) of Policy 11.CO requires that the extension would not facilitate the subdivision of the premises. The reasoned justification for the policy does not explain why this is necessary. As an objector points out, the subdivision of premises may not entail development, and I do not find any good reason why the policy should seek to pre-empt more beneficial use of an existing building through a subdivision that does not involve development. The criterion would also entail potential conflict with Policy 15.CO which encourages appropriate re-use of existing buildings in the countryside in accordance with the advice in PPS7. If a subdivision led to a material change of use, the Council could take enforcement action if it was expedient to do so. The fourth criterion of the policy should be deleted.

Recommendations

- 1.78. Policy 10.CO be modified by the rewording of criterion (ii) as follows:
"the proposed building is of an appropriate design and scale and would not have a greater impact physically or visually on the character and appearance of the locality than the existing building;"
- 1.79. Policy 11.CO be modified by the deletion of criterion (iv).
- 1.80. No other modification be made to the Plan in response to these objections.

Policy 13.CO: Hampshire Police HQ Special Policy Area

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *appropriate extent of the SPA*
- *need to refer to the listed building as well as its setting*
- *need for guidance on future use*
- *clarity of policy*

Inspector's Considerations and Conclusions

- 1.81. Policy 13.CO is a site-specific, criteria-based policy which seeks to control development at the Hampshire Police Headquarters at Netley. The policy identifies the site as a Special Policy Area (SPA) and allows for development for operational purposes that would not otherwise be permitted in this countryside location.
- 1.82. An objector seeks to extend the SPA to include all the Hampshire Constabulary estate, which lies within the Hamble-Netley Abbey Local Gap, arguing that the proposed SPA is too narrowly drawn around the main building complex. The proposed SPA excludes much of the objector's land where new development could be accommodated, including the range of estate buildings to the west of the proposed SPA, currently used for residential accommodation and the open land between these buildings and the proposed SPA to the east.
- 1.83. I consider that the proposed SPA already includes a number of open areas where there is scope for further development. While a substantial undeveloped area within the SPA lies to the north of the listed building and development in this area could affect its setting, I note that the proposed SPA boundary takes account of the main, front elevation of the listed building by excluding land immediately to south-west. I consider that this protects the most important part of the building's setting. Any development to the north of the listed building would need to be sensitive to its historic setting, but I do not consider that the proximity of this area to the rear of the listed building precludes any future development.
- 1.84. The large open area to the west of the gymnasium may have been occupied by buildings in war time, but now has a well-established rural character. I consider that this area forms an important part of the Local Gap which can be appreciated particularly from the footpath along the northern boundary and which forms part of the Hamble Trail. Any development in this area would undermine the function of the Local Gap. Overall, the proposed SPA boundary achieves a reasonable balance between protecting the countryside and the Local Gap and enabling future

operational development at the Police Headquarters.

- 1.85. Turning to the second issue, the amended wording of criterion (ii) in the Second Deposit Draft refers to the listed building and its setting. This resolves the objection and no modification is therefore necessary.
- 1.86. In respect of the third issue, as the Council has stated in its evidence, there are no plans, nor is there any indication from Hampshire Constabulary that they wish to vacate these premises during the lifetime of the Plan. Given that the building is listed and that there are other policies in the Plan which protect the landscape and nature conservation interests of the Borough more generally, I am satisfied that there is no need to make provision for this eventuality in Policy 13.CO.
- 1.87. With regard to the fourth issue, Policy 13.CO states clearly that all of the criteria should be met. No modification is necessary in this respect.

Recommendation

- 1.88. No modification be made to the Plan in response to these objections.

Policy 14.CO: Mobile Home Parks

Objections

See Appendix A for the list of objections on this matter

Main Issue

- *need to allow for replacement of mobile homes by permanent dwellings*

Inspector's Considerations and Conclusions

- 1.89. Policy 14.CO seeks to prevent the change of use of mobile homes to permanent dwellings in the interests of protecting the landscape and to prevent the loss of affordable housing units.
- 1.90. It is not appropriate to consider mobile homes parks under the same policy as permanent dwellings since they fall into a different use class. As the Council has stated, mobile homes fulfil a valuable role as low-cost housing. However, given that they are often located outside the urban edge on exposed and isolated sites in the countryside, it would not generally be appropriate or consistent with the other policies in this Plan or national guidance to allow their replacement by permanent dwellings.

Recommendation

- 1.91. No modification be made to the Plan in response to this objection.

Policy 15.CO: Re-Use of Buildings for Non-Residential Use in the Countryside

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *need to permit reuse of buildings as places of worship*
- *clarity of policy*

Inspector's Considerations and Conclusions

- 1.92. Policy 15.CO is a criteria-based policy which seeks to control the conversion of buildings in the countryside for employment purposes.
- 1.93. With regard to the first issue, places of worship can attract significant numbers of people that could lead to inappropriate traffic generation in an isolated rural location. In general such uses should be directed to built-up areas where there is a choice of modes of transport. For these reasons no exemption is justified in my view.
- 1.94. The amended policy in the Second Deposit Draft makes clear that all of the criteria need to be met. This satisfies the related objection.

Recommendation

- 1.95. No modification be made to the Plan in response to these objections.

Policy 16.CO: Re-Use of Buildings for Residential Use in the Countryside

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *need for flexibility about residential use*
- *clarity of policy*

Inspector's Considerations and Conclusions

- 1.96. Policy 16.CO is a criteria-based policy which seeks to control the conversion of buildings in the countryside to residential use. The policy cross-refers to Policy 15.CO and requires compliance with the criteria of the latter also.
- 1.97. PPS7 advises that the re-use of appropriate buildings in the countryside should be supported where this would meet sustainability objectives. Re-use for economic development purposes would usually be preferable, but residential conversions may be more appropriate in some locations and for some types of buildings. In my view Policy 16.CO is less supportive of residential conversions than PPS7 suggests, but the limited extent of the Borough's rural areas and their proximity to main towns and urban centres indicates that in most cases, sustainability objectives are unlikely to be met by residential conversions. In these circumstances I am satisfied that the policy is justified, but the supporting text should be expanded to make clear the underlying sustainability considerations.
- 1.98. The addition of the word 'all' in the amended policy of the Second Deposit Draft clarifies that all of the criteria should be satisfied.

Recommendations

- 1.99. The reasoned justification for Policy 16.CO be modified to explain the planning context of the Borough's rural areas and the need to take a restrictive approach to residential conversions for sustainability reasons.
- 1.100. No other modification be made to the Plan in response to these objections.

Policy 17.CO: Established Employment Sites Outside the Urban Edge

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *whether the policy is too restrictive*
- *clarity of policy*

Inspector's Considerations and Conclusions

1.101. Policy 17.CO is a criteria-based policy which seeks to control the redevelopment or alteration of commercial, industrial or storage sites outside the urban edge.

1.102. It is clear that the Council's main concern is to ensure that proposals do not lead to a loss of countryside or increased pressure upon the rural road network. But as referred to under Policy 10.CO above, it does not always follow that a net increase in the volume or floorspace of an existing commercial property would be detrimental to the countryside in terms of landscape impact or sustainability more generally. There may be occasions where the alteration and reconfiguration of an employment site may improve matters in these respects. I consider that the policy as currently worded is too negative and restrictive in a way which could impede acceptable development. It also entails potential conflict with Policy 11.CO which permits the extension of non-residential buildings in the countryside.⁴ The limitation on volume, floorspace and expansion onto non-employment land is arbitrary and should be deleted. The remaining criteria would enable design, appearance and traffic impact to be controlled.

1.103. Turning to the second issue, the amended policy in the Second Deposit Draft clarifies that all of the criteria must be met. This addresses the objection.

Recommendations

1.104. Policy 17.CO be modified by the deletion of criteria (ii) and (iii).

1.105. No other modification be made to the Plan in response to these objections.

⁴ Although not the subject of objection, I note that there is also duplication between Policies 11.CO and 17.CO which does not enhance the clarity of the Plan.

Paragraph 1.23 (First Deposit)

Objections

See Appendix A for the list of objections on this matter

Main Issue

- *need for a cross-reference to Green Networks in the Public Open Space Chapter*

Inspector's Considerations and Conclusions

1.106. Paragraph 1.23 has been deleted from the Second Deposit Draft. The paragraph dealt with access to the countryside and provided a cross-reference to proposals in the Recreation Chapter.

1.107. PPG12 advises against over elaborate plan-making. The Plan should be read as a whole and there is no need to cross-refer to other parts of the Plan in the way suggested by the objector. Excessive cross-references can create confusion and work against effective implementation of the Plan. Also, since the objection was made there have been significant changes to the Plan which supersede the objection. No modification is necessary.

Recommendation

1.108. No modification be made to the Plan in response to this objection.

Policy 18.CO (First Deposit)

Objections

See Appendix A for the list of objections on this matter

Main Issue

- *need for the policy*

Inspector's Considerations and Conclusions

1.109. Policy 18.CO (Forest of Bere) has been deleted from the Second Deposit Draft. It was a criteria-based policy which sought to control development associated with farm diversification and small-scale recreation/tourism facilities.

1.110. I understand that a corresponding policy was omitted from the HCSP following a legal challenge by a neighbouring authority. The Forest covers an area which falls within the boundaries of several local authorities and at present there is no strategic policy framework for such a policy in the Plan. Until this framework is provided, it would be premature to include a policy for the future of the Forest. In the meantime, the other policies of the Plan should be able to address nature conservation, landscape and any other concerns in the Forest.

Recommendation

1.111. No modification be made to the Plan in response to these objections.

Policy 18.CO: Landscape Character

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *justification for reference to 1997 landscape assessment*
- *comparative weight of local and national designations*

Inspector's Considerations and Conclusions

- 1.112. Policy 18.CO has been introduced in the Second Deposit Draft and seeks to control development in the interests of protecting the intrinsic character of the landscape. The supporting text to the policy explains that the Council has carried out a landscape character assessment which has identified the landscape character areas in the Borough.
- 1.113. PPS7 refers to landscape character assessments as a tool which should form the basis for carefully drafted landscape policy. Landscape character assessments are purely descriptive and national guidance does not stipulate that they should be produced as SPG or subject to any statutory consultation process. The Borough Council produced a landscape character assessment in 1997 (CD66) which identifies the landscape character areas in the Borough. More recently the County Council has also produced a broader assessment of the landscape character of Hampshire. The reference to both of these assessments in the supporting text accords with the latest national guidance in PPS7 and as such no modification is necessary in response to the related objection.
- 1.114. Turning to the second issue, the Council has not identified any local landscape designations and is relying solely on the landscape character approach in seeking to protect the Borough's landscape from inappropriate development. This accords with national guidance in paragraph 24 of PPS7 and no modification is therefore necessary.

Recommendation

- 1.115. No modification be made to the Plan in response to these objections.

Policy 19.CO: Landscape Features

Objections

See Appendix A for the list of objections on this matter

Main Issue

- *need for flexibility.*

Inspector's Considerations and Conclusions

1.116. Policy 19.CO seeks to ensure that new development would protect locally important landscape features such as water courses and ponds. The amended policy in the Second Deposit Draft introduces greater flexibility that is consistent with the wording in the reasoned justification. I consider that this resolves the objection.

Recommendation

1.117. No modification be made to the Plan in response to this objection.

Policy 20.CO: Environmental Improvements

Objections

See Appendix A for the list of objections on this matter⁵

Main Issues

- *extent of designation at Hamble Point Marina*
- *need to allocate specific sites for environmental improvements*
- *omission of environmental improvements policy (Policy 15.CO EBLP)*
- *reference to landscape as opposed to environmental improvements*
- *distinction between a statement of intent and policy*

Inspector's Considerations and Conclusions

- 1.118. Policy 20.CO has been introduced in the Second Deposit Draft as a replacement for Policies 14.CO and 15.CO of the EBLP. The reasoned justification lists a number of potential improvements to which the policy may apply. These would be secured through negotiation with landowners and developers. The policy states that development proposals which would prejudice such improvements would not be permitted.
- 1.119. On the first issue, the Council accepts that the designation should be confined to the bund at Hamble Point Marina and the Second Deposit Draft includes an amendment to the Proposals Map to address this matter. I consider that this resolves the objection.
- 1.120. With regard to the second issue, the Council has indicated that it has carried out a full review of the areas identified for environmental improvements by objectors. It is not necessary for the policy to identify each specific area where such improvements will be sought because this would lead to excessive detail that would not be in the interests of a concise plan. As the Council has stated, the identified sites on the Proposals Map do not represent a definitive list and the policy would allow for other environmental improvements to be negotiated. I consider that no modification is therefore necessary in this regard.
- 1.121. Turning to the third and fourth issues, Policies 14.CO and 15.CO of the EBLP were combined in the First Deposit Draft. Policy 20.CO in the Second Deposit Draft deals with the areas previously covered by Policy 15.CO (EBLP) and as such there has been no omission of this policy in the Second Deposit Draft. The reasoned justification makes clear that the policy's intent is broadly environmental, including the enhancement of biodiversity wherever possible. Nonetheless, I agree that the use of the term 'landscape' rather than 'environmental' in the policy is a more specific one

⁵ The objection relating to land north of Allington Lane is considered under HEXC in the Housing Chapter.

in its context and for the sake of clarity the title of the section should also be amended to 'Landscape Improvements'. In the interests of a concise plan I do not consider that any other modification is required in response to the related objections.

- 1.122. With regard to the final issue, the policy makes clear that the Council will seek to negotiate with developers for improvements in the areas identified and that no development which would prejudice these improvements will be permitted. While the former element is a statement of intent, the latter is clearly a policy that derives from the former. There is scope to re-write the policy and reasoned justification more clearly and I recommend accordingly.

Recommendations

- 1.123. Policy 20CO be modified as follows:-
'In the areas identified for landscape improvements as shown on the Proposals Map, proposals which would prejudice such improvements or which would in themselves be detrimental to the quality of the landscape in those areas will not be permitted. Developers' willingness to contribute towards landscape improvements will be a material consideration in the assessment of planning applications.'
- 1.124. The heading above paragraph 1.27 be deleted and replaced by the title 'Landscape Improvements'.
- 1.125. The following sentence be added to the reasoned justification for Policy 20.CO:- 'The Council will seek to secure improvements in the appearance and quality of the landscape through negotiations with landowners and developers. Priority will be given to those areas identified on the Proposals Map for landscape improvement '.
- 1.126. No other modification be made to the Plan in response to these objections.

Policy 21.CO: Protection of Southampton Water

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *whether the presumption should be in favour of natural processes*
- *relationship with other river and flooding-related policies*

Inspector's Considerations and Conclusions

1.127. Policy 21.CO seeks to control development along the coastline of Southampton Water and around the Hamble Estuary. The policy requires an assessment of the shoreline characteristics to be submitted and it indicates that planning permission would be refused for development that would not overcome problems of cliff retreat or tidal flooding.

1.128. With regard to the first issue, the Council suggests in its evidence that the policy should be modified to require sustainable solutions to cliff erosion and tidal flooding. It is also proposed to amend the supporting text to explain that sustainable solutions would be considered, but that the Council would not give unconditional support to ensuring that all undeveloped parts of the coastline are afforded protection. Paragraph 15 of PPG25 states that while there is no statutory duty for government to protect land or property against flooding, it does recognise the need to protect the wider social and economic well-being of the country. The amendments proposed by the Council strike a balance between acknowledging the natural processes taking place and the need to offer protection to existing developed parts of the coastline in accordance with government guidance. I recommend the suggested amendments in EBC181 accordingly.

1.129. Turning to the second issue, the Council has combined policies on flooding and the riverine environment in the Environmental Sustainability Chapter. Policy 21.CO and its supporting text relate primarily to constraints on development as a result of tidal flooding and erosion, rather than countryside issues in a general sense. Therefore I agree with the objector that it would be beneficial to move this policy and its supporting text to Chapter 3.

Recommendations

1.130. The Plan be modified in accordance with EBC181, by adding a new paragraph after paragraph 1.32 as follows:-

‘The Council will support appropriate sustainable proposals which protect property from the effects of climate change but will not give unconditional support to ensuring that all undeveloped parts of the coastline are afforded protection.’

- 1.131. Policy 21.CO be modified in accordance with EBC181 so that the last sentence reads:-
`Proposals which cannot satisfactorily overcome problems of cliff retreat or tidal flooding in a sustainable way will be refused.'.
- 1.132. The Plan be modified by moving Policy 21.CO and its supporting text to the Environmental Sustainability Chapter.
- 1.133. No other modification be made to the Plan be made in response to these objections.

Paragraph 1.34: Minerals & Waste

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *need for specific reference to protection of the historic environment*
- *need for reference to biodiversity*

Inspector's Considerations and Conclusions

- 1.134. Paragraph 1.34 sets out the matters that the Council will take into account when consulted on proposals for mineral extraction and waste disposal by the County Council.
- 1.135. The Second Deposit Draft includes a reference to the historic environment in point (ii) of the paragraph. In my view this resolves the objection on the matter.
- 1.136. On the second issue, the proposed Pre-Inquiry Change (PIC) includes a reference in point (vi) of the paragraph to nature conservation. In my view this would satisfy the related objections and I recommend the PIC accordingly.

Recommendations

- 1.137. Paragraph 1.34 (vi) of the Plan be modified in accordance with the PIC on page 2 of CD7.
- 1.138. No other modification be made to the Plan in response to these objections.

COEXC: Omissions

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *omission of policy on biodiversity enhancement*
- *failure to designate various sites as Special Policy Areas*
- *omission of policy for the development of garden centres in the countryside*
- *need to include policies in the existing River Hamble Local Plan*
- *omission from the Context box of reference to policies on agricultural diversification*
- *retention or deletion of Forest of Bere policy*
- *need to restrict the further expansion of industry in the countryside*
- *omission of policies to protect the countryside from traffic impact*
- *omission of policy for the improvement of public access to the River Hamble*

Inspector's Considerations and Conclusions

- 1.139. With regard to the first issue, biodiversity enhancement is dealt with elsewhere in the Plan under Policy 28.NC. The Plan should be read as a whole and there is no need to repeat the provisions of this policy, which applies to all areas of the Borough, in relation to every topic area in the Plan.
- 1.140. Turning to the second issue, the objections in respect of the Southampton Institute's playing fields at Hardmoor and Eastleigh Football Club are taken into account under Policies 1.CO and 2.CO above, while that regarding land at Otterbourne Hill is considered under Policy 1.CO. In regard to the land south of Old Netley, this objection overlaps with one considered under HEXC in the Housing Chapter, concerning land at Berry Farm, Hamble Lane, Bursledon and I consider the relevant housing issues there. No substantive case is put forward for development on the land to the west of Berry Farm, including that designated for nature conservation and the land to the west of the existing urban edge boundary on Portsmouth Road, and I recommend no modification of the Plan in regard to those lands.
- 1.141. In respect of the third issue, I am satisfied that Policies 10.CO and 11.CO, as modified in accordance with my recommendations, would provide a sufficient basis upon which to consider planning applications for garden centres.
- 1.142. With regard to the fourth issue, it is understood that the County Council is preparing a Moorings Plan and on this basis I agree with the Council that it would be premature to include detailed policies relating to the River Hamble in the Plan. The level of detail contained in Appendix A of the current River

Hamble Plan would be inappropriate for inclusion in a local plan. When the Moorings Plan is published, the Council will be able to consider whether any supplementary planning documents are necessary for the River Hamble.

- 1.143. In respect of the fifth issue, farm diversification is addressed in the Countryside Chapter and there is no need for cross-references to other policies in the Plan since the document should be read as a whole.
- 1.144. The objections regarding a policy for the Forest of Bere are taken into account under Policy 18.CO (First Deposit) above.
- 1.145. On the seventh issue, Policies 10.CO and 11.CO provide a policy framework for non-residential development in the countryside. Subject to my recommendations, I consider that these would provide appropriate guidance that conforms with national policy advice, and no modification is required in response to the objection on this matter.
- 1.146. In respect of the penultimate matter, the existing patterns of movement, for example along Allington Lane, cannot be directly controlled by planning policies. However, the Plan as a whole provides an appropriate range of policies in both the countryside and transport chapters to deal with the transport implications of new development in the countryside. On the larger scale, the Plan reflects the overall locational strategy of the HCSP which is founded on sustainable development principles that seek to minimise the need to travel. Therefore, I do not consider that any specific modification of the Plan is required in response to the objection on this matter.
- 1.147. On the final issue, the Council supports an amendment to paragraph 9.14 so that it states that additional public access, rather than public access, will be encouraged. The objection sought specific reference to improving public access, to carry forward part (ii) of Policy 18.CO of the EBLP, which encouraged improved public access in developments in river corridors. Public access to the River Hamble is limited and I agree that the suggested amendment to paragraph 9.14 would add weight to the objective of improving public access when planning applications for riverside developments are considered. In my view, reading the Plan as a whole, the suggested amendment is sufficient to address the objection.

Recommendations

- 1.148. Paragraph 9.14 of the Plan be modified by the addition of a sentence to the effect that the Council will encourage the provision of additional public access to the River Hamble.
- 1.149. No other modification be made to the Plan in response to these objections.

CHAPTER 2

NATURE CONSERVATION

Policy 22.NC: European Nature Conservation Designations

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *correct reference to European framework*
- *whether policy is unduly simplistic /restrictive*
- *need to refer to use of planning conditions*

Inspector's Considerations and Conclusions

- 2.1. Policy 22.NC seeks to protect the integrity of nature conservation sites of European importance.
- 2.2. With regard to the first issue, the Council has amended paragraph 2.5 as set out in the Pre Inquiry Changes document (PIC) so that it refers correctly to the Conservation (Natural Habitats) Regulations 1994, as well as the Habitats Directive. I agree to the change and recommend accordingly.
- 2.3. On the second issue, in response to the objections to the First Deposit Draft three new policies have been inserted in the Second Deposit Draft to reflect the different weight that should be attached to the various designations and their differing levels of protection. The new policies refer to European sites, SSSIs, and Sites of Importance for Nature Conservation (SINCs). The restrictions imposed by them reflect the relative importance of the designations. I consider that these policies are a satisfactory response to the objections.
- 2.4. I agree with the Council that there is no need to refer to planning conditions in the policy or reasoned justification. If a condition can be attached to a planning permission to overcome the harm that might otherwise arise from the development, then there would be no reason to refuse permission within the terms of the policy. Paragraph 2.7 makes clear that further consideration and assessment will take place for developments that have a `significant' affect on a site. The policy refers to development that `adversely' affects the integrity of a site, stating that such development would not be permitted. Both these statements accord with PPG9, paragraph 27 and Annex C, paragraph C.10.

Recommendations

- 2.5. Paragraph 2.5 of the Plan be modified in accordance with CD7.
- 2.6. No other modification be made to the Plan in response to these objections.

Policy 23.NC: Sites of Special Scientific Interest

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *definition of SSSI boundary at Badnam Channel and Basin Area*
- *need to refer to the use of planning conditions*
- *protection of marshland along the River Hamble from garden extensions*

Inspector's Considerations and Conclusions

- 2.7. Policy 22.NC of the First Deposit Draft sought to protect SSSI's and internationally protected nature conservation sites from development that would have an adverse affect, directly or indirectly. The policy has been amended in the Second Deposit Draft to refer only to SSSIs.
- 2.8. With regard to the first issue, SSSI boundaries are defined by English Nature and as such it is not within the Plan's remit to change them.
- 2.9. In respect of the need or otherwise to refer to the use of planning conditions, my conclusion under Policy 22.NC also applies here.
- 2.10. Turning to the third issue, I understand that all marshland along the River Hamble is designated as either a cSAC, SSSI or SINC. The Plan includes policies to protect such sites from damaging development. Furthermore, in accordance with Policy 1.CO the extension of private gardens into the countryside would not be permitted. I am satisfied that the policy framework to protect the marshland from encroachment from garden extensions is in place and do not recommend any modifications in this regard.

Recommendation

- 2.11. No modification be made to the Plan in response to these objections.

Policy 24.NC: Sites of Importance for Nature Conservation

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *difference in status of SINC compared with SSSIs*
- *definition of SINC boundary at Moorhill, West End*
- *justification for SINC at Twyford Road, Allbrook*
- *definition of SINC boundary to the west of Horton Heath*
- *justification for SINC at the Mound, Mercury Marina*
- *justification for SINC at Pinewood Park, Kanes Hill, West End*
- *justification for SINC south of Old Netley.*
- *justification for SINC at Dumpers Drove, Horton Heath*
- *need for commitment to promote public involvement in nature conservation*
- *need for consistent application of policy*

Inspector's Considerations and Conclusions

- 2.12. Policy 24.NC seeks to protect any land designated by the Council as a Site of Importance for Nature Conservation (SINC), unless it can be shown that the benefits of development outweigh the need to safeguard the nature conservation value of the site. The corresponding policy in the First Deposit Draft was more restrictive and would not have permitted any development that would adversely affect a SINC. I note here that the Second Deposit Draft incorrectly numbers the First Deposit Draft version of this policy as 25.NC whereas in fact it was 23.NC.
- 2.13. With regard to the first issue, the new policies that are introduced in the Second Deposit Draft control development that might affect sites of international, national and local importance in a way which reflects the varying importance of the designations. In particular, Policy 23.NC (SSSI) is more restrictive than Policy 24.NC (SINC) because the need to protect the nature conservation value of the site is not a matter for negotiation, whereas developers can question the need to safeguard a SINC. I consider that the revised policy framework resolves the concern that has been raised.
- 2.14. In respect of the second issue, the Council has confirmed that the identification of this site as a SINC is a cartographical error and has agreed that a correction should be made. I recommend accordingly.
- 2.15. Turning to the next six issues, the related objections all dispute that the land in question is worthy of a SINC designation either in whole or in

part. However, paragraph 341 of the HCSP states that SINC's are identified according to criteria jointly agreed by the County Council, English Nature and Hampshire Wildlife Trust. These are set out in "Criteria for Identifying Sites of Importance for Nature Conservation (SINC's) in Hampshire", which was published in association with the HCSP. It appears to me that appropriate ecological surveys that conform with this guidance have been carried out and that there is enough evidence to support designation under at least one of the criteria mentioned above and in some cases several criteria are met. Based on this reported survey information and all of the evidence submitted, I consider that all of these sites warrant SINC designation within the boundaries as proposed by the Council, except in the case of The Mound at Mercury Marina.

- 2.16. The Mound is an area of old tipped marine dredgings adjacent to the Hamble estuary. The area is diverse and is composed of a range of semi-natural habitats, with saltmarsh and reedbeds close to the river and woodland on the higher land. Its designation as a SINC has been justified by a habitats survey and it meets criterion 4A of the criteria for selecting SINC's in Hampshire. However, an objector seeks to exclude part of the higher woodland area close to the marina car park. It is modest in size and is screened from the river by surrounding planting. In my view the nature conservation value of this area is not of overriding importance and its exclusion from the SINC need not have a harmful impact on nature conservation in the remainder of the area. The objector has demonstrated the constraints at the boatyard, the need for an additional area for parking and boat storage and that there are no other satisfactory areas where this could be provided. In these particular circumstances I consider that a modest incursion of the boatyard into the area proposed as a SINC would not harm the overall nature conservation value of the SINC, subject to a detailed scheme including any necessary mitigation works being approved. On this basis I consider that the small area on north-west corner of the mound as identified by the objector should be excluded from the SINC to allow for a modest extension of the Mercury Marina boatyard.
- 2.17. With regard to the seventh issue, the policies and proposals in the Plan are only concerned with land use planning matters. It would not be appropriate for the Council to outline how it will engage with the public about nature conservation matters in the main body of the Plan. There are other ways that the Council can seek and receive support from members of the public. The Eastleigh Biodiversity Action Plan and Biodiversity SPG promote public interest in this matter. Finally, in most cases it would not be appropriate for the Council to rely on information gathered by the general public when carrying out studies and assessments for official purposes, such as gathering data to inform a statutory development plan.
- 2.18. In respect of the eighth issue, I note objectors' concerns that development that has taken place in some parts of the Borough has disregarded nature conservation interests, but the application of the policy is a matter for the Council and is not within my remit. To re-word

the policy as suggested by one of the objectors would undermine nature conservation interests, contrary to the objector's own wishes. Overall, there is nothing in the Plan that would support the inconsistent application of the policies on nature conservation in different parts of the Borough. Therefore I do not consider that any modification is required on this matter.

Recommendations

- 2.19. The Proposals Map be modified so that the boundary of the SINC runs along the rear boundary of Moorhill, West End.
- 2.20. The Proposals Map be modified so that the boundary of the SINC at The Mound, Mercury Marina is re-drawn to exclude the small area at the north-western corner as identified on the drawing entitled 'Mercury Marina, Hamble: Area Identifications' in the objector's proof of evidence (reference No 0109/P8) and so that the designated area of the boatyard under Policy 140.E is extended to incorporate this north-west corner.
- 2.21. No other modification be made to the Plan in response to these objections.

Policy 25.NC: Protected Species

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *need for early collection of survey information*
- *inconsistent application of policy*
- *overlap with existing legislation*

Inspector's Considerations and Conclusions

- 2.22. Policy 25.NC prohibits development that would adversely affect a protected species but it would allow development where it can be shown that measures can be taken to mitigate against any adverse impact.
- 2.23. With regard to the first issue, the amended paragraph 2.12 in the Pre-Inquiry Changes document (PIC) advises that applicants will be required to carry out survey work prior to the consideration of a planning application. While the words, 'where necessary' are retained in the paragraph, I consider that this modification would satisfy the main concern of the objection.
- 2.24. In respect of the second issue, the application of the policy is a matter for the Council. The text of the policy applies with equal weight to all sites containing protected species and their habitats. I accept that the Council seeks to apply all its policies consistently throughout the Borough. No modification is required.
- 2.25. Turning to the third issue, the policy explains how the Council will treat planning applications on sites where protected species are present. PPG 9, paragraph 47 states that the presence of a protected species is a material consideration in determining a planning application for a development likely to cause harm to the species or its habitat. Paragraph 48 also makes clear (in the case of the Protection of Badgers Act 1992) that granting a licence to interfere with a badger sett is separate from the process of applying for planning permission.
- 2.26. As the Council has indicated, landowners and potential purchasers need to be made aware that, whilst no formal nature conservation designation may exist on their land, this does not mean that such land has no nature conservation interest and such interest must be taken into account in the planning process. The policy is helpful to developers because it provides certainty and clarity about how wildlife legislation interfaces with the planning process, and as such it does not attempt to duplicate the legislation.

Recommendations

- 2.27. Paragraph 2.12 of the Plan be modified in accordance with the PIC in CD7.
- 2.28. No other modification be made to the Plan in response to these objections.

Policy 26.NC: Biodiversity

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *whether Policy 26.NC is too vague/ambiguous*
- *need for reference to mitigation measures*
- *appropriateness of reference to wildlife corridor/network*

Inspector's Considerations and Conclusions

- 2.29. Policy 26.NC seeks to protect the biodiversity of the Borough from development that would have a detrimental impact. The provisions of the policy allow development where the benefits would outweigh any adverse impact, where detrimental impact is unavoidable, and where any detrimental impact could be mitigated. In response to objections the Council proposes to delete and replace paragraph 2.13 and Policy 26.NC with new policies and text as set out in the Pre-Inquiry Changes (PIC) (CD7).
- 2.30. With regard to the first issue, the definition of biodiversity in the Plan's Glossary of Terms is consistent with that in PPG9, which defines biodiversity in paragraph 1 as "the sum total of life's variety on earth". In absolute terms all development is likely to affect biodiversity; however the new Policy 26.NC introduced by the PIC has improved its precision. The new policy relates only to development which would detrimentally affect habitats or features deemed to be of importance to the wild fauna and flora. The Second Deposit Draft Policy 26.NC was unclear as to its implementation and did not stipulate whether or not all or just one of the criteria had to be met. The new policy makes clear that the provisions of all of the criteria will have to be satisfied.
- 2.31. In respect of the second issue, the PIC proposes the deletion of the third criterion of the Second Deposit Draft Policy 26.NC which concerned mitigation measures. In its place the PIC proposes a new Policy 27.NC, which requires developers to implement mitigation measures to the satisfaction of the Council in respect of development covered by Policies 22.NC to 26.NC. This approach is disjointed and confusing. If the Council requires mitigation measures to be implemented in respect of Policies 22.NC to 26.NC, then the policies themselves should state this. However, I note that Policy 25.NC already contains this provision in any case. And given that Policy 22.NC concerns sites of European importance that are protected by the European Regulations, the Council would need to determine whether or not such provision for mitigation would be in conflict with the Regulations.

- 2.32. Turning to the third issue, paragraph 2.13 (PIC) quotes directly from PPG9, paragraph 15. This direct reference should be deleted because national guidance is updated on a regular basis, rendering such references obsolete and potentially reducing the weight of the associated policy. The remainder of paragraph 2.13 of the Second Deposit Draft provides an adequate introduction to the issue of biodiversity, without going into unnecessary detail. Paragraphs 2.14 and 2.15 provide a good context for Policy 26.NC and refer to the Biodiversity Action Plan, which provides more detail about the types of landscape features that would need to be protected and managed in the interests of maintaining wildlife corridors and the wildlife network more generally.
- 2.33. One of the objections to paragraph 2.13 is that not all countryside features identified will perform the role of a wildlife corridor and that only those established as having such a role should be protected under Policy 26.NC. The objector would like paragraph 2.13 to make this clear. I do not agree with this and concur with the Council's rebuttal to this objection set out in EBC159. I would add that not all existing wildlife network sites are known and future environmental changes will, in all likelihood, create new networks and sites which will contribute to biodiversity and genetic exchange. Further, emerging guidance (PPS9 Consultation Paper September 2004 paragraph 2.11) advocates that local planning authorities identify "... networks of natural habitats that provide, or could provide a valuable resource by linking sites of biodiversity importance...". Restricting this policy to only those sites established as functioning wildlife corridors does not provide for biodiversity into the future and is contrary to the principles of sustainable development.
- 2.34. Finally, the additional text suggested by the Environment Agency could usefully be added to paragraph 2.13 (Second Deposit Draft) in order to make a clear reference to the wildlife network of the Borough. This text would also relate well to my recommended modifications to Policy 26.NC on mitigation measures.

Recommendations

- 2.35. Policy 26.NC be modified in accordance with the PIC in CD7, but with the addition of a criterion requiring that appropriate measures are taken in order to mitigate any adverse impact.
- 2.36. The Plan should not be modified in accordance with the proposed new paragraph 2.13 or Policy 27.NC in the PIC in CD7.
- 2.37. Paragraph 2.13 of the Plan (Second Deposit Draft) be modified by the addition of the following sentence:-
"The enhancement of the wildlife network within the Borough is desirable, and should be achieved by the inclusion of sympathetic measures and features in the layouts of development proposals."
- 2.38. No other modification be made to the Plan in response to these objections.

Policy 27.NC: Ecological Continuity

Plan 4: Wildlife Network

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *justification for the identified wildlife network*
- *need for clarity about implementation*
- *need to retain Maps 4 a,b and c*
- *need for cross-reference to the Green Network in Chapter 9*

Inspector's Considerations and Conclusions

- 2.39. Policy 27.NC of the Second Deposit Draft appears to be a criteria-based policy which seeks to protect the wildlife network of the Borough from development that would adversely affect it.
- 2.40. With regard to the first, second and third issues, the Council has deleted Policy 27.NC, the supporting text in paragraph 2.16 and the related maps (4 a,b,c) as a PIC and as such the objections to it have been satisfied. I also refer to my conclusions above in respect of Policy 26.NC and related matters and I support the deletion of Policy 27.NC and the related text in the interests of a more succinct plan. The matters covered by Policy 27.NC would be dealt with in Policy 26.NC and its supporting text as modified in accordance with my recommendations. Detailed information, such as that contained in Plan 4a, b and c is more appropriately dealt with in the Biodiversity Action Plan or as SPD.
- 2.41. On the final issue, there is no need for a cross-reference to the Green Network in this Chapter. The Plan should be read as a whole and all of its policies taken into account in drawing up or determining applications for planning permission.

Recommendations

- 2.42. The Plan be modified by the deletion of Policy 27.NC, the supporting text and Plans 4a, b and c in accordance with the PIC in CD7.
- 2.43. No other modification be made to the Plan in response to these objections.

Policy 28.NC (CD4 Errata Document): Local Nature Reserves Policy 25.NC (First Deposit): Nature Reserves

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *need to reinstate Policy 25.NC (First Deposit)*
- *potential to implement the policy*
- *justification for including sites at Priors Hill Copse, Old Netley and Willow Farm, Allington Lane*
- *need to protect River Hamble marshland from garden extensions*

Inspector's Considerations and Conclusions

- 2.44. This part of the Second Deposit Draft is error-ridden to such an extent that it is very difficult to follow the changes proposed from the First Deposit Draft or what is intended by the PIC (CD7). The Errata document for the Second Deposit Draft (CD4) introduces a Policy 28.NC, which appears to be intended as a replacement for 25.NC of the First Deposit Draft, although the text that has been struck out in the Second Deposit Draft does not correspond with the text in the First Deposit Draft. Also, despite the number and location of the nature reserves identified in the First and Second Deposit Draft policies being different, the schedule of revisions to the Proposals Map makes no reference to any proposed changes in this respect. The confusion is compounded because the PIC document makes no reference to what is intended for Policy 28.NC of the Errata document even though the PIC introduces a new Policy 28.NC that deals with entirely different matters; the Council has not indicated where this would sit in the Plan. I deal with PIC Policy 28.NC separately below.
- 2.45. The Council has indicated in its response to the Environment Agency's objection SL022/D/2.17 that Policy 25.NC has not been deleted, despite words that comprise much of its text being struck through in the Second Deposit Draft. For the purposes of this report I assume that Policy 25.NC has been replaced by Policy 28.NC as set out in the Errata Document. While there are differences between the two, and it is not clear that the Environment Agency has been able to familiarise itself with these or is satisfied with the amended details, I consider that the objection has been resolved in principle by the inclusion of a policy on local nature reserves.
- 2.46. The potential to implement Policy 25.NC (iii) (First Deposit Draft) which proposed a local nature reserve at Willow Farm, off Allington Lane, has been questioned, but this objection is effectively resolved by the omission of this site from the revised list in Policy 28.NC of the Errata document. Similarly, the objection regarding the land south of Old Netley at Priors Hill Copse is resolved by its deletion from the amended list.

2.47. The final issue relates to a matter considered under Policy 23.NC above.

Recommendations

2.48. The Proposals Map be modified by the deletion of the sites listed in Policy 25.NC of the First Deposit Draft where appropriate and their replacement by the sites listed in Policy 28.NC of the Errata Document (CD4).

2.49. No other modification be made to the Plan in response to these objections.

PIC Policy 28.NC: (unspecified title)

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *whether the policy is too prescriptive or inflexible*
- *need for reference to improvement of river corridors*

Inspector's Considerations and Conclusions

- 2.50. Policy 28.NC as set out in the PIC (CD7) states that development proposals will be required to include measures to enhance the value of features and habitats of nature conservation importance where reasonable opportunities exist in connection with the development.
- 2.51. With regard to the first issue, the policy states clearly that a development would only be required to enhance features of nature conservation value where reasonable opportunities exist. This is a clear statement that consideration will be given to the characteristics of each site. Policy E13 of the HCSP states that, "when granting planning permission, local planning authorities will consider the opportunity to create or improve habitats and features of nature conservation interest." It is entirely appropriate therefore for the Plan to reflect this in its policies.
- 2.52. In respect of the second issue, the additional text proposed by the Environment Agency is partly explanatory text and partly a statement of intent and as such I do not consider that it should be added to the policy. However, it would increase understanding of the potential opportunities to implement the policy, and its specific reference to river corridors is an appropriate one that merits a reference in this chapter. Accordingly I recommend that it be included as part of the reasoned justification for the policy, subject to some minor re-wording.

Recommendations

- 2.53. The Plan be modified in accordance with PIC Policy 28.NC.
- 2.54. The following sentence be inserted as reasoned justification for PIC Policy 28.NC:- 'Opportunities to provide appropriate connections between sites/areas covered by the other policies of this chapter will be encouraged, and particular attention will be given to opportunities for the enhancement of river channels where they are associated with or linked to development sites.'
- 2.55. No other modification be made to the Plan be made in response to these objections.

NCEXC: Omissions from the Nature Conservation Chapter

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *omission of reference to the Biodiversity Action Plan and of a policy on the loss of biodiversity*
- *lack of protection for wildlife habitats*
- *omission of policy to protect Ancient Woodland*
- *omission of policy and identification of sites for habitat enhancement/restoration*
- *omission of policy on maintaining ecological continuity*
- *omission of policy on water resources*
- *omission of policy to promote public interest in nature conservation*
- *need to retain Plans 4 a, b and c*
- *whether paragraph 2.11 of First Deposit Draft should be reinstated*

Inspector's Considerations and Conclusions

- 2.56. With regard to the first and second issues, the Plan as amended in the Second Deposit Draft and further amended in the proposed Pre-Inquiry Changes (PIC) now includes reference to the Biodiversity Action Plan and a policy (26.NC) directed specifically towards the protection of wildlife habitats and biodiversity generally. I consider that these resolve the objections.
- 2.57. In respect of the third issue, ancient woodland is referred to in paragraph 2.11 of the Second Deposit Draft in relation to SINCs. New policies introduced in the Second Deposit Draft or the PIC (26.NC and 27.NC) and the Eastleigh Biodiversity Action Plan (CD55) provide additional protection for ancient woodland. A specific policy relating to the protection of ancient woodland would be unnecessarily detailed and likely to repeat the provisions of policies elsewhere.
- 2.58. Turning to the fourth issue, PIC Policy 28.NC requires developers to enhance features of nature conservation value, where opportunities exist, and the Biodiversity Action Plan highlights those areas where action is needed. As such the related objection has been satisfied.
- 2.59. In respect of the fifth issue, the suggested policy wording (so far as it relates to nature conservation), is already reflected in Policies 26.NC and 28.NC. Issues relating to landscape features are considered in the Countryside Chapter.

- 2.60. With regard to the sixth issue, the Environmental Sustainability Chapter deals with conservation of water resources and as such no reference to this issue is required in the Nature Conservation Chapter.
- 2.61. In respect of the seventh and eight issues, I have dealt with these matters under Policies 24.NC and 27.NC respectively.
- 2.62. Turning to the final issue, the Council has stated that no ecological surveys are scheduled to be carried out in the future and that for the purposes of succinctness and clarity paragraph 2.11 of the First Deposit Draft has been deleted. I agree with the Council that this paragraph adds nothing to the Plan and its deletion would not preclude ecological survey work being carried out in the future.

Recommendation

- 2.63. No modification be made to the Plan in response to these objections.

CHAPTER 3

ENVIRONMENTAL SUSTAINABILITY

Policy 29.ES: Waste Collection and Recycling

Objections

See Appendix A for the list of objections on this matter

Main Issue

- *requirement to contribute towards provision of recycling facilities*

Inspector's Considerations and Conclusions

- 3.1. Policy 29.ES and its supporting text require that provision should be made in new housing developments for the siting of neighbourhood recycling facilities.
- 3.2. The proposed Pre-Inquiry Change (PIC) to paragraph 3.5 and Policy 29.ES clarify that recycling facilities will only be provided to serve new housing development. This would resolve the linked objection. The revised wording of paragraph 3.5 would go some way to meet the other concerns regarding the need to negotiate developer contributions; however, it still does not place enough emphasis on the need for negotiation and in my view does not adequately reflect the provisions of Circular 1/97, paragraph 6. The proposed PIC to paragraph 3.5 should be revised to state categorically that 'the Council will seek to negotiate with developers for provision to be made...'. I recommend accordingly. This modification of paragraph 3.5 would set the appropriate context for Policy 29.ES and as such no modification of the PIC to the policy is required in response to the objections, although it would be advisable to omit the words, '...to the design and specification of the Council', since these are imprecise and may impose an onerous requirement.

Recommendations

- 3.3. Paragraph 3.5 as set out in the PIC (CD7) be modified so that it reads:-
'In addition, the Council will seek to negotiate with developers for provision to be made in new development for neighbourhood recycling facilities for the collection of glass to serve the development concerned. The Council will be preparing a Supplementary Planning Document on the storage and collection of domestic waste and recyclable materials.'
- 3.4. Policy 29.ES be modified in accordance with the PIC on page 3 of CD7, but the Council is advised to omit the words, '...to the design and specification of the Council'.

Policy 31.ES: Noise-Sensitive Development

Objections

See Appendix A for the list of objections on this matter

Main Issue

- *need to take account of programmed development of noise sources*

Inspector's Considerations and Conclusions

- 3.5. Policy 31.ES seeks to protect the occupiers of noise-sensitive development from exposure to excessive noise and vibration. The supporting text states that a noise assessment will be required and sets out what such assessments should cover.
- 3.6. PPG24, paragraph 5 states that development plans should contain policies which ensure that noise-sensitive developments are located away from existing and programmed sources of noise. Paragraph 3.11 of the Plan makes clear that proposals should take account of the existing noise climate and what can reasonably be foreseen. The Proposals Map, as modified, would also provide information on planned infrastructure development that may generate new sources of noise. In my view this is sufficient to reflect this aspect of PPG24 and no modification is required in response to the objection.

Recommendation

- 3.7. No modification be made to the Plan in response to the objection.

Policy 32.ES: Noise-Sensitive Development

Objections

See Appendix A for the list of objections on this matter

Main Issue

- *need for reference to planning conditions*

Inspector's Considerations and Conclusions

- 3.8. Policy 32.ES seeks to control development which falls under PPG24 Noise Category C (PPG24 Annex 1, paragraph 1), so that applicants are required to demonstrate that they have met good design standards in terms of internal layout and sound insulation. I note that the Council has proposed a PIC to rectify the incorrect paragraph numbering in the Second Deposit Draft.
- 3.9. PPG24, Noise Category C states that where development should not normally be granted, but no other quieter site is available, then conditions should be imposed to ensure a "commensurate level of protection". The Council has agreed to add a sentence to the supporting text in paragraph 3.13 to the effect that conditions may be imposed to secure appropriate protection against noise. While this amendment would go some way towards resolving the objectors' concerns, I consider that the policy itself should reflect PPG24's advice but it (and the Plan in general) should also avoid direct references to the particular PPG in order to ensure that the Plan remains as up-to-date as possible, even after the PPG may have been revised or replaced. Plans should also avoid unnecessary detail and the Council is advised that the table set out below the policy would be better placed in a SPD and that the reference to the table in the policy could then be deleted.

Recommendations

- 3.10. Policy 32.ES be modified as follows:-
'In circumstances where the Council considers that the merits of a proposal for residential development outweigh the desirability of locating it away from an unsuitable location by virtue of noise, development will be permitted if the applicant can demonstrate that the design, layout and sound insulation meet appropriate standards. Where permission is to be granted, conditions may be imposed to secure an adequate level of protection against noise.'
- 3.11. Consequential modification be made to paragraph 3.13 of the reasoned justification to delete the reference to PPG24 and replace it by a reference to residential development in locations where noise exposure would normally be considered unacceptable.

Policy 34.ES: Air Quality, Energy and Climate Change

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *whether policy is contained within the reasoned justification*
- *need for reference to Air Quality Management Areas*
- *need for indication in the policy of broad locations or specific sites suitable for renewable energy installations*

Inspector's Considerations and Conclusions

- 3.12. Paragraphs 3.18 to 3.20 seek to control development in the interests of protecting local air quality but do not contain a policy on the matter. Under the heading of Energy and Climate Change, Policy 34.ES seeks to promote the use of renewable energy and to minimise the amount of carbon emissions in new development.
- 3.13. With regard to the first issue, the Council proposes in the PIC (CD7) to delete paragraph 3.20 and replace it with a policy. The new policy requires submission of an air quality assessment in cases where a proposal would be likely to have a significant impact upon air quality. In my view this would satisfactorily address the related objection.
- 3.14. Turning to the second issue, paragraphs 3.18, 3.19 and the proposed new policy referred to above make reference to Air Quality Management Areas and the need for air quality assessments. This addresses Policy E7 of RPG9 which requires local authorities to take account of Air Quality Management Areas and the findings of air quality assessments in determining planning applications. No modification is required in response to the related objection.
- 3.15. In respect of the third issue, PPS22 (2004) has superseded the guidance in PPG22 since the objection was made. PPS22 states in paragraph 6 that local planning authorities should only allocate specific sites for renewable energy in plans where a developer has already indicated an interest in the site, has confirmed the site is viable, and that it will be brought forward during the plan period. Paragraph 7 advises that broad locations suitable for the development of renewable energy should be identified at regional or sub regional level. Given this advice and the Council's explanation that the Borough is very restricted in terms of the space available and its topography as a potential location for renewable energy development, the approach adopted in Policy 34.ES is adequate for the purposes of this local plan.

Recommendations

- 3.16. The Plan be modified by the deletion of paragraph 3.20 and its replacement with a new policy (X.ES) in accordance with the PIC on page 4 of CD7.
- 3.17. No other modification be made to the Plan in response to these objections.

Policy 35.ES: Water Consumption

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *need for clear cross-reference between policy and SPG*
- *need for explanation of the term 'Controlled Waters'*
- *whether there is duplication between policies*
- *whether Policy 35.ES and the supporting text are unduly onerous*
- *need for a policy relating to SUDS*

Inspector's Considerations and Conclusions

- 3.18. Policy 35.ES and the supporting text seek to promote new development which reduces water consumption and provides for sustainable drainage systems (SUDS).
- 3.19. With regard to the first issue, paragraph 3.51 which indicated the intention to issue detailed guidance on issues relating to water consumption has been deleted from the Second Deposit Draft. I consider that this resolves the objection on the matter.
- 3.20. The Council accepts that a definition of 'controlled waters' should be included in the Glossary. This would resolve the objection concerning the second issue.
- 3.21. In respect of the third issue, the Council agrees that Policy 35.ES and the section on Water Consumption duplicate Policies 38.ES and 45.ES. Two PICs are proposed by the Council to delete Policy 35.ES and to move the supporting text in paragraph 3.22 to the supporting text of Policy 38.ES. I support the deletion of this policy in the interests of a more succinct Plan and recommend accordingly.
- 3.22. With regard to the fourth issue, in light of my recommendation to delete Policy 35.ES, the related objections have been superseded. I deal with matters relating to SUDS in Policy 45.ES below.
- 3.23. On the final matter, Policy 45.ES and its supporting text specifically refer to SUDS. This objection has therefore been satisfied.

Recommendations

- 3.24. The Plan be modified by the addition of the term 'controlled waters' in the Glossary, with the following definition, 'Controlled waters include watercourses, coastal waters and groundwaters as well as many surface

water features such as ponds and wetlands.'

- 3.25. The Plan be modified by the deletion of Policy 35.ES and the 'Water Consumption' section and the incorporation of paragraph 3.22 as supporting text for Policy 38.ES, in accordance with the PICs on page 4 of CD7.
- 3.26. No other modification be made to the Plan in response to these objections.

Policy 36.ES: Land Affected by Contamination

Objections

See Appendix A for the list of objections on this matter

Main Issue

- *need for reference to groundwater and watercourses*

Inspector's Considerations and Conclusions

- 3.27. Policy 36.ES seeks to control development on land that is contaminated, or that is suspected of being contaminated. The policy requires an assessment to be carried out by the applicant to demonstrate that the land can be adequately remediated for the proposed end use.
- 3.28. The Council has proposed a PIC to Policy 36.ES which includes a reference to the need to minimise the risk of pollution to controlled waters. As recommended above, the term 'controlled waters' would be added to the Glossary, with a definition that includes groundwater and wetlands. In my view the PIC satisfactorily addresses the related objections.

Recommendation

- 3.29. Policy 36.ES be modified in accordance with the PIC on page 4 of CD7.

Policy 38.ES: Renewable Energy and the Efficient Use of Resources

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *use of cross-references*
- *compatibility with RPG9*
- *overlap with Policy 45.ES with regard to SUDS*

Inspector's Considerations and Conclusions

- 3.30. Policy 38.ES requires that applicants give consideration to the need to maximise energy efficiency, reduce water consumption and waste generation, and generally make use of renewable energy sources and sustainable/adaptable designs in their proposals.
- 3.31. The Plan should be read as a whole and proposals should comply with all relevant policies in the Plan unless material considerations indicate otherwise. There is no need for each policy in the Plan to explain this and therefore I agree that the reference to proposals complying with other policies in the plan should be deleted.
- 3.32. In accordance with Policies INF2 and INF4 of RPG9, development plans should promote the introduction of water conservation and energy conservation measures. I find no inconsistency between this guidance and Policy 38.ES. As the Council has stated, to require that consideration be given, where appropriate, does not go further than the requirements in RPG9.
- 3.33. In respect of the third issue, the Council has proposed a PIC to delete criterion (v) of the policy which duplicates the provisions of Policy 45.ES. This would resolve the matter.

Recommendations

- 3.34. Policy 38.ES be modified by the deletion of the following words, "...that accords with the other policies of this Plan".
- 3.35. Policy 38.ES be modified by the deletion of criterion (v) in accordance with the PIC on page 4 of CD7.
- 3.36. No other modification be made to the Plan in response to this objection.

Policy 39.ES: Renewable Energy and the Efficient Use of Resources

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *need to identify broad locations or specific sites suitable for renewable energy installations*
- *need to acknowledge the airport as a safeguarded aerodrome*

Inspector's Considerations and Conclusions

- 3.37. Policy 39.ES is a criteria-based policy which permits the development of renewable energy schemes provided that the design, location and viability of the scheme is demonstrated by the applicant.
- 3.38. The first issue relates to a point dealt with under Policy 34.ES.
- 3.39. On the second issue, I refer to my response in respect of paragraph 4.44, in the Urban Renaissance Chapter. As I recommend there, the paragraph should be updated to take account of the latest government guidance at an appropriate level of detail. The Plan should be read as a whole and there is no need to refer to procedural matters about consultation with the airport operator in this policy. In my view, paragraph 4.44, as proposed to be modified, addresses the objection.

Recommendation

- 3.40. No modification be made to the Plan in response to these objections.

Policy 40.ES: River Corridors

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *delineation of river valley boundary at Allbrook/Twyford Road*
- *need to avoid compromising the operational responsibilities and requirements of the River Hamble Harbour Authority, marinas and boatyards*
- *need to deal with water abstraction from areas outside the flood plain*
- *implications for any infrastructure works needed for an MDA*
- *clarity and degree of prescription*
- *whether there is conflict with paragraph 3.35 or a lack of specificity*
- *need to refer to biodiversity enhancements and de-culverting*

Inspector's Considerations and Conclusions

- 3.41. Policy 40.ES (previously numbered as Policy 20.CO in the First Deposit Draft) seeks to protect the river environment from inappropriate development. It refers to protecting floodplains, catchment areas and wetlands of the Rivers Hamble and Itchen. A PIC is proposed so that the policy and the supporting text in paragraph 3.35 refer only to river corridors.
- 3.42. With regard to the Allbrook/Twyford Road area, the Council has agreed that the river valley boundary should be amended to reflect more closely the topography of the area and its land-use characteristics. The new boundary is shown on Plan 52 in CD5. I agree with the Council that the river valley boundary should include the land which rises beyond the river bank. No other modification is required in response to this objection.
- 3.43. In respect of the second issue, the River Hamble is of European importance for ecological/environmental reasons. In addition, SSSIs lie along the course of the river. The Council has a duty to protect these sites. Policy 140.E contains more detailed criteria that relate to boatyards, marinas and their operations. The supporting text recognises the importance of the marine industry to the economy of the Borough and especially the Hamble Peninsula. Policy 40.ES is a wider policy which deals more generally with the riverine environment in the Borough. I consider that it provides for a balanced and responsible approach towards development along the river corridors and that it does not unduly restrict the operational requirements of marinas and boatyards or the Harbour Authority.
- 3.44. Policy 40.ES, as proposed to be amended by the PIC, relates specifically to river corridors and as such it would not be appropriate to refer to water abstraction in other areas.

- 3.45. With regard to the fourth issue, in planning for any MDA the Council would have to take into account all material planning considerations, including the protection of designated areas and the natural environment more generally. In my view there is no conflict between this policy and the exercise of proper scrutiny over any MDA proposal.
- 3.46. So far as the point about clarity is concerned, the policy is clear that if one or more of the criteria are not met then development will be refused. No further clarification is required in this respect. I do not agree that the word `scenic` should be deleted from the criteria, since visual amenity is an appropriate material consideration.
- 3.47. With regard to the sixth issue, the policy deals specifically with river corridors. The retention of references to wetlands, floodplains and catchment areas would have led to duplication with Policies 41.ES to 44.ES. In my view the cross-reference to the Proposals Map and the specific reference to river corridors improves the clarity and precision of the policy and complies with guidance in PPG12, paragraph 3.1 which states that policies should be clear, succinct and easily understood. Therefore I support the PICs proposed by the Council.
- 3.48. Turning to the final matter, the objector is concerned that there is no policy which actively seeks enhancements to the river corridors, including de-culverting and biodiversity enhancements. However PIC Policy 28.NC requires that development proposals enhance features of nature conservation value and as I have recommended in regard to that matter, the reasoned justification should be expanded to refer to opportunities for enhancement of river channels. Policy 213.IN is a general policy which deals with developer contributions towards provision of necessary infrastructure. In appropriate circumstances, where de-culverting is necessary for a development to proceed, this policy would enable the Council to seek contributions to that end. Taking the Plan as a whole into account, I do not consider that any other modification is necessary in response to the related objection.

Recommendations

- 3.49. Paragraph 3.35 be modified in accordance with the PIC on page 4 of CD7.
- 3.50. Policy 40.ES be modified in accordance with the PIC on page 4 of CD7.
- 3.51. No other modification be made to the Plan in response to these objections.

Policies 41.ES and 42.ES: Development Affecting Water Courses or Sea Defences

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *need for reference to wetlands and the coast*
- *need for greater flexibility towards proposals to culvert or for the canalisation of watercourses*
- *whether Policy 42.ES implies a preference for hard engineering improvements to water courses*
- *effect on Hamble Airfield*

Inspector's Considerations and Conclusions

- 3.52. Policy 41.ES seeks to protect watercourses, wetlands, the coast's tidal defences and sea defences from development that would detrimentally affect the drainage regime or their structural integrity. The policy also states that proposals for culverting or the canalisation of watercourses will be refused.
- 3.53. With regard to the first issue, the amended policy in the Second Deposit Draft includes references to the coast and wetlands. This satisfies the related objections and no modification is required.
- 3.54. The Council has proposed a PIC to state that there will be a presumption against culverting or canalisation of watercourses, rather than an outright bar. In my view this addresses the related objections and complies with the Environment Agency's stated policy on the matter. However, the addition of the word 'diversion', as proposed by the Environment Agency in their related objection to the PIC would enhance the understanding of the policy.
- 3.55. In respect of the third issue, Policy 49.BE has been deleted from the Second Deposit Draft and replaced by Policy 42.ES which incorporates the text proposed by the Environment Agency as a criterion. I consider that this resolves the objection.
- 3.56. On the final matter, the objector does not request any specific change to the policy; however, it is worth mentioning that the Plan's policies apply to new development. The existing lawful development at Hamble Airfield is not affected by this policy.

Recommendations

- 3.57. Policy 41.ES be modified by the deletion of the final sentence and its

replacement with the following sentence, "There will be a presumption against the diversion, culverting or canalisation of watercourses."

- 3.58. No other modification be made to the Plan in response to these objections.

Policies 43.ES and 44.ES: Flooding and Erosion

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *need to reflect advice in PPG25*
- *whether Policy 44.ES is overly-restrictive*
- *whether Policy 50.BE should prohibit dredging*

Inspector's Considerations and Conclusions

- 3.59. Policy 50.BE (First Deposit Draft) is deleted and replaced in the Second Deposit Draft by Policies 43.ES and 44.ES. Policy 43.ES is a criteria-based policy that seeks to control development in flood risk areas, while Policy 44.ES deals with proposals for extensions and replacement dwellings and changes of use that would increase the risk of flooding.
- 3.60. The amended policies allow development in areas at risk from flooding, provided that they comply with certain criteria/provisions. Policy 43.ES requires a flood risk assessment to be carried out. This complies with advice in PPG25. The Council has indicated that flood risk has been taken into account in the allocation of major development sites in the Borough. Paragraph 3.38 states clearly that the floodplain information displayed on the Proposals Map is indicative and that the Environment Agency should be contacted prior to the submission of any proposal. Given the need for accuracy and the indicative nature of the identified flood risk area, I consider that the approach adopted by the Council is reasonable.
- 3.61. Planning applications for minor extensions/alterations by householders should not raise significant issues, unless they are likely to have a direct and adverse effect either individually or cumulatively. In my view Policy 44.ES complies with guidance in PPG25. The policy would allow minor development such as extensions/alterations in the flood risk area provided that it would not lead to an increase in the number of people at risk from flooding or an unacceptable loss of floodplain storage. No modification is therefore required in response to the second issue.
- 3.62. Dredging is an operational matter which is the responsibility of the harbour authority, not the local planning authority. Therefore I do not consider that any modification should be made in response to the objection on the final issue. The concern about sustainable drainage systems is dealt in Policy 45.ES.

Recommendation

- 3.63. No modification be made to the Plan in response to these objections.

Policy 45.ES: Flooding and Erosion

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *whether there is duplication with Policy 38.ES*
- *need to provide certainty for developers*
- *whether the requirement to maintain SUDS schemes in perpetuity is too onerous*

Inspector's Considerations and Conclusions

- 3.64. In accordance with Policy 45.ES, developers will be expected to incorporate sustainable drainage systems in their proposals. The maintenance of such systems (SUDS) should be financed by the development.
- 3.65. Criterion (v) of Policy 38.ES, which also referred to SUDS has been deleted as a PIC. In addition, Policy 35.ES, which also referred to SUDS has been deleted. I consider that these changes satisfy the related objections.
- 3.66. The Council has proposed a PIC to Policy 45.ES which removes the words, 'where appropriate'. I agree with the Council that it is not practicable to incorporate SUDS schemes in every development. RPG9 advises that techniques such as SUDS should be encouraged and promoted through development plans. In my view, Policy 45.ES, as proposed to be modified by the PIC, complies fully with the regional guidance in this respect and no other modification is necessary.
- 3.67. In accordance with PPG25, agreements on the adoption, maintenance and operation of systems should take place early in the planning and design stages. PIC Policy 45.ES states that proposals should include defined arrangements for the future maintenance of the system and is less prescriptive in this respect than the Second Deposit policy, which required developers to finance maintenance costs. I consider that this change addresses the related objection. However, an additional sentence that refers to the future arrangements for the maintenance of SUDS schemes should be added to the supporting text in paragraph 3.39 to provide more explanation of the approach referred to in PPG25.

Recommendations

- 3.68. Policy 45.ES be modified in accordance with the PIC on pages 4 and 5 of CD7.

- 3.69. Paragraph 3.39 of the Plan be modified by the addition of a sentence which states, 'It is important that developers consult with the Council and the Environment Agency about the future operation and maintenance of a proposed SUDS scheme early in the design and planning process.'
- 3.70. No other modification be made to the Plan in response to these objections.

Policy 47.ES: Tree Preservation Orders

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *justification for protection of all trees*
- *need to allow for replacement trees*

Inspector's Considerations and Conclusions

- 3.71. Policy 47.ES has been amended significantly in the Second Deposit Draft and it seeks to protect trees that are the subject of a Tree Preservation Order (TPO) and other trees, woodland or hedgerows that are worthy of retention.
- 3.72. The policy and its supporting text create a presumption in favour of protecting existing trees and other natural features. The Council has pointed out that Section 197 of the Town and Country Planning Act imposes this duty on local planning authorities, in addition to making TPOs. However, in my view the Council should set down the criteria that would be used to assess whether a tree is worthy of retention, such as its prominence in the landscape/townscape and its contribution to the character of the area. In the absence of such criteria it is impossible for developers and others to judge whether or not the natural features referred to in the policy are worthy of retention and in these circumstances this provision should be deleted. The policy should be modified to refer only to protected trees and the Council should consider the addition of suitable criteria to the policy.
- 3.73. Turning to the second issue, replacement planting is covered in paragraph 3.47 which follows on from more detailed policies regarding the care and maintenance of protected trees. No additional reference is required in Policy 47.ES and its supporting text.

Recommendations

- 3.74. Policy 47.ES be modified by deleting the following words from the end of the policy, '...or other trees, woodland or hedgerows which are worthy of retention.' The Council should consider adding criteria to the policy which provide the basis for determining what trees and other natural features are worthy of retention.
- 3.75. No other modification be made to the Plan in response to these objections.

CHAPTER 4

URBAN RENAISSANCE AND THE BUILT ENVIRONMENT

Paragraphs 4.1-4.9: Built Environment Objectives

Objections

See Appendix A for the list of objections on this matter

Main Issue

- *whether the introductory paragraphs are too vague and do not offer certainty to developers*

Inspector's Considerations and Conclusions

- 4.1. The related objection refers to paragraphs 3.1 to 3.11 of the First Deposit Draft, which correspond with 4.1-4.9 of the Second Deposit Draft. These paragraphs are essentially supporting text and background information which expand on the objectives of the policies in the chapter.
- 4.2. The amendments made in the Second Deposit Draft provide greater certainty and clarity and as such I consider that they go some way towards resolving the concerns. Turning to the more general point made by the objector that this part of the Plan is aspirational. I accept that it sets out a broad strategy based upon the East/West Corridor concept and a number of transport improvements, not all of which is carried forward in specific proposals in the Plan. Nonetheless, it provides a longer-term vision for the urban renaissance of Eastleigh and as such lends direction and impetus to the policies. I consider that this is useful background information for the subsequent policies.

Recommendation

- 4.3. No modification be made to the Plan in response to this objection.

Paragraphs 4.2 and 4.3: Government Policy

Objections

See Appendix A for the list of objections on this matter

Main Issue

- *need for reference to planned greenfield extensions to urban areas in accordance with national guidance in PPG3*

Inspector's Considerations and Conclusion

- 4.4. The paragraphs directly refer to national guidance in PPG3 in their justification of the Plan's emphasis on developing and improving existing urban areas through the re-use of previously developed land.
- 4.5. As a matter of best practice, national planning guidance (or statutes, Circulars or other government documents) should not be directly referred to in a local plan. The guidance is revised on a regular basis and therefore any policies or supporting text that refer directly to paragraphs in national guidance could be rendered obsolete or significantly weakened by a revision of the guidance. There is also no need to duplicate national guidance in local plans because the former must be taken into consideration in any event. In my view the most appropriate response to the objection is to delete paragraphs 4.2 and 4.3, and in order to maintain consistency, paragraphs 4.4 and 4.5 should also be deleted since they too refer directly to national planning guidance in PPG1, PPG3 and PPG24. The context provided by paragraph 4.1 is sufficient acknowledgement of the Plan's roots in up-to-date national planning policy.

Recommendations

- 4.6. The Plan be modified by the deletion of paragraphs 4.2 to 4.5.
- 4.7. No other modification be made to the Plan in response to this objection.

Policy 52.BE: Eastleigh Approach Roads

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *implications of any demolition of houses in Twyford Road*
- *correct role of planning obligations*
- *need for greater emphasis on wildlife and biodiversity*

Inspector's Considerations and Conclusions

- 4.8. Policy 52.BE seeks to secure environmental improvements along certain approach roads into Eastleigh town centre. The supporting text in paragraph 4.13 states that these improvements will be within the highway curtilage. Paragraph 4.14 refers to increasing densities close to the town centre in accordance with national policy objectives to reduce the need to travel.
- 4.9. Policy 52.BE and the supporting text do not refer to the demolition of houses in Twyford Road either directly or by implication. The policy is not site-specific and it only states that when development proposals come forward, the Council would expect developers to contribute towards environmental improvements. The Council has also indicated that the houses referred to by the objector are not worthy of listing. No modification is required in response to the related objection.
- 4.10. Turning to the second issue, the policy states that appropriate environmental improvements will be sought; however it is not clear why developers should contribute towards these improvements which seem to be designed to benefit the town centre, rather than the environment along the identified routes. It is not the responsibility of developers to solve existing environmental problems along these routes. Circular 1/97 makes clear that planning obligations should only be sought to resolve issues that arise directly from the development itself and should not be used to remedy existing problems such as a poor environment. Therefore I consider that paragraph 4.13 should be deleted. Also, the policy and supporting text should make clear that as a result of the intended increase in densities along the approach roads to the town centre, it will be necessary to make access improvements. Any planning obligations sought should be directly related to improving the environment in order to facilitate the planned increase in activity along these routes, especially by pedestrians and cyclists. The policy should also be clear that the Council will seek to negotiate any improvements and will not impose obligations upon developers.
- 4.11. I note that paragraph 4.14 does not appear to relate to the policy and

forms a more appropriate context for the section on the Eastleigh Town Renaissance Quarter. It would be advisable to move it to the introductory text for that section.

- 4.12. With regard to the final issue, the Council has agreed in EBC343 that it would be appropriate to add a reference to biodiversity and habitats in paragraph 4.24 which deals with urban green spaces. I agree that this is a more suitable place to include such a reference.

Recommendations

- 4.13. Policy 52.BE be modified as follows:-
`Development on the following approaches to Eastleigh town centre, namely Leigh Road, Twyford Road, Bishopstoke Road and Southampton Road which would give rise to increased demands for pedestrian and/or cycle linkages with Eastleigh town centre will be permitted, subject to contributions being sought towards appropriate improvements to facilities for pedestrians and/or cyclists`.
- 4.14. Paragraph 4.13 of the Plan be modified by deleting the existing text and replacing it with a new reasoned justification which clearly explains the link between the intensification of uses along the approach roads and the need to improve access, particularly for pedestrians and cyclists, to the town centre.
- 4.15. The Council is advised that paragraph 4.14 would be more appropriately moved to the start of the section on the Eastleigh Town Renaissance Quarter.
- 4.16. Paragraph 4.24 of the Plan be modified to include reference to biodiversity, in accordance with paragraph 2 of EBC343.
- 4.17. No other modification be made to the Plan in response to these objections.

Policies 53.BE and 54.BE: Eastleigh Town Renaissance Quarter

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *need to make clear any changes between First and Second Deposit drafts*
- *need to comply with the tests for planning obligations*
- *implications for any demolition of properties on Twyford Road*
- *implications for existing infrastructure and services in the area*
- *need for greater clarity in the Plan about what is proposed*
- *justification for lower percentage contribution to affordable housing*
- *need for identification on the Proposals Map*

Inspector's Considerations and Conclusions

- 4.18. Policy 53.BE seeks to ensure that the best use is made of land in Eastleigh town centre and that any redevelopment encourages a mix of people-intensive uses. Policy 54.BE states the Council's intention to negotiate planning obligations from developers to improve access to the town centre by public transport, on and off-street parking and public realm improvements.
- 4.19. With regard to the first issue, the Council has indicated that the failure to strike through the text that refers to 1000 dwellings in paragraph 3.16 of the First Deposit and to embolden the new text reference to 300 dwellings in paragraph 4.15 of the Second Deposit Draft was an error. I am satisfied with this explanation.
- 4.20. Turning to the second issue, the amended policy in the Second Deposit Draft refers to negotiation with developers. In my view this accords with Circular 1/97 and is a satisfactory response to the related concerns.
- 4.21. In respect of the third and fourth issues, the Council has identified the Renaissance Quarter as a priority for regeneration in Policy 53.BE. This policy approach reflects national planning guidance in PPG3, PPS6 and PPG13 on the encouragement for higher density development around areas of high public transport accessibility and the focus for mixed use development in town centres. There are no site-specific policies relating to land within the Renaissance Quarter, so the fears of residents that they have not been consulted about the plans and that their homes are due to be demolished are unfounded. Any specific proposals that come forward will no doubt be subject to full consultation with local residents.

- 4.22. With regard to the fifth issue, the final sentence of Policy 53.BE sets out the appropriate mix of uses. The policy also provides clear guidance to developers that densities of at least 50 dwellings per hectare will be sought in the area. The reference to SPG has been deleted. In my view these amendments are an appropriate response to the objections.
- 4.23. Turning to the penultimate matter, the Second Deposit Draft omits any reference to a lower level of provision of affordable housing in the Renaissance Quarter (15%) in favour of relying on Policy 80.H which is a Borough-wide policy on affordable housing; I consider that this resolves one of the concerns. In respect of another objection that reference should be included to contributions being sought towards affordable housing, the Plan should be read as a whole and in my view there is no need to make a specific reference to affordable housing in Policies 53.BE or 54.BE.
- 4.24. On the final issue, the Council accepts that the Renaissance Quarter (Plan 6) should be identified on the Proposals Map. I recommend accordingly.

Recommendations

- 4.25. The Proposals Map be modified to show the Eastleigh Town Renaissance Quarter as an inset map.
- 4.26. No other modification be made to the Plan in response to these objections.

Policies 56.BE and 57.BE: Barton Park

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *need to differentiate the mixed use area from the wider employment area*
- *appropriateness of a low-intensity use such as a lorry park*
- *justification for stipulating highway improvements, including cycle and pedestrian improvements*
- *whether mix of particular uses should be determined in advance of the future of the railway sidings*
- *dependence on funding for the Chickenhall Lane Link Road and on the support of the rail authorities*
- *compatibility with the sequential approach*
- *need for a flood risk assessment*
- *need for flexible approach to surface water management*
- *restrictions on use of land within the Southampton Airport Public Safety Zone*
- *need to encourage high-density uses*

Inspector's Considerations and Conclusions

- 4.27. Barton Park is an existing low-density employment area which lies next to the town centre but is separated from it by railway sidings. The Plan sets out the Council's intentions for the redevelopment of Barton Park to make better use of this land which lies close to the Borough's main transport nodes in the town centre. It is also anticipated that Barton Park will provide opportunities to expand the scale and range of Eastleigh's town centre uses.
- 4.28. Policy 56.BE lists appropriate uses for the Barton Park area, including retail warehouse units selling bulky goods only. Policy 57.BE requires that redevelopment of Barton Park would conform to a development brief and master plan. It also sets out broad locational requirements for development in the Barton Park area, such as requiring people-intensive uses to be located close to the railway station. A new landmark bridge between the town centre and railway station is also identified, as is the desire to include the railway sidings within the wider development.
- 4.29. With regard to the first issue, the Council acknowledges that the employment land designation should have been deleted from the designated Barton Park policy area in the Second Deposit Draft. However, the Council does not wish to create a policy vacuum and has requested that I consider the addition of new supporting text for Policies 56.BE and

57.BE to the effect that until the site is comprehensively redeveloped, Policy 134.E should apply. This approach is less than ideal in terms of creating certainty, but given the circumstances it is the most pragmatic way forward at this time. Policy 134.E, criterion (ii) allows for the loss of employment land where it would create environmental and amenity benefits that outweigh the loss of the employment land. Given that the development of Barton Park is largely dependant on the completion of the Chickenhall Lane Link, which itself will open up other new areas for employment development, I am satisfied that there are enough safeguards in place to protect the Borough's wider employment base. I support the addition of the new text proposed in EBC076. For similar reasons I support the proposed PIC to criterion (iii) of Policy 56.BE, which amends the description of employment uses to those falling within use classes B1 and B2, including premises suitable for start-up firms. This would address a related objection on the matter.

- 4.30. Turning to the second and third issues, the amended text in the Second Deposit Draft omits reference to lorry parks and also deletes detailed reference to highway improvements and the mix of uses on site. New paragraph 4.22 states that a transport assessment will be required and it places more emphasis upon creating access to public transport and compliance with the Hampshire's parking standards. I am satisfied that this amended approach is still consistent with the broader aims of making the best use of this centrally-located and accessible site, in accordance with advice in PPG13, paragraph 6.
- 4.31. The amended Policy 57.BE also omits much of the detail included in the First Deposit policy and in my view there is no need, nor would it be appropriate, to relegate its content to a SPD since it sets out key requirements for development of the site. I note however that it is not appropriate to require, as in paragraph a. of the policy, that development must conform with a development brief and master plan set out elsewhere. Instead, the reasoned justification should make reference to the intention to prepare a development brief and master plan which would be material considerations in the determination of any planning application. The amended policy requires that all of the criteria should be satisfied and in my view this resolves an objection about lack of clarity.
- 4.32. In respect of the fourth and fifth issues, Policy 57.BE has been changed to state that the railway land will only be included in the wider scheme if feasible. Policies 56.BE and 57.BE also acknowledge that the mix of uses and in particular the intensity of uses contained on the site will be determined according to the pedestrian and highway links secured to access the site. The funding of these links is not yet determined, however the Chickenhall Lane Link Road is an approved scheme in the Local Transport Plan and at the time of writing an application has been put to the Secretary of State for funding for the scheme. The Plan acknowledges in paragraph 4.22 that certain uses will not be allowed until such time as the necessary infrastructure or funding is in place. No modification is therefore necessary in response to the related concerns.

- 4.33. The Council has acknowledged in its response to an objection that the inclusion of the railway sidings within the redevelopment would conflict with Policy 108.T which would not permit the redevelopment of existing rail yards to uses that do not utilise the rail network for the carriage of goods or freight. However, I recommend elsewhere in the report that Policy 108.T be modified so that the redevelopment of rail yards can be permitted where it can be demonstrated that the use of the rail infrastructure is no longer viable. Therefore no conflict need arise. The Council's suggested additional wording in Policy 57.BE is therefore unnecessary.
- 4.34. With regard to the sixth issue, Policy 56.BE as set out in the PIC requires a mix of three categories of uses on the site including offices, a visitor-attracting facility if feasible, and employment uses. The policy goes on to prohibit retail uses selling non-bulky goods but states that up to two retail warehouses selling bulky goods may be permitted if they do not, in themselves or cumulatively with other permitted schemes, undermine the vitality or viability of a town or local centre. The background study produced in co-operation with the Council¹ shows that there is only a limited mix of uses in the town centre at present, with little office, leisure, hotel and other uses to meet the needs of the local population. Furthermore the study demonstrates that in sequential terms, Barton Park is the only possible site in close proximity to the town centre that is of sufficient size to accommodate a range of town centre uses, including bulky goods retailing. These findings are explained briefly in paragraph 4.19 of the Second Deposit Draft, as amended by the PIC which states that the retail warehouses would help to make use of the edge-of-centre location and to fund links to the town centre.
- 4.35. In my view however, the retail warehouse element of the policy is insufficiently justified. It does not accord with the findings of the Borough-wide Retail Study (CD22) which concluded that there was no need for further out-of-centre retail provision. In particular, paragraph 8.8 of the Study concluded that the Borough was already well served by bulky goods retailing such as DIY retail warehouses. While the retail study is now out-of-date and cannot be given much weight, it lends no support to the retail element of the policy. Also, CD52 does not contain a full retail assessment, nor does it provide adequate justification for further retailing of this nature outside the town centre. Therefore I conclude that the policy requires modification to make clear that retail units selling bulky goods would only be permitted on the site if there were a demonstrable retail need and a more suitable site could not be identified. I note the reliance that appears to have been placed on the retail development to fund improved pedestrian and cycle links between Barton Park and the town centre, but there is no substantive evidence that such funding could not be secured by other means.
- 4.36. So far as the office and leisure elements of the policy are concerned, I consider that CD52 and the background papers on employment (CD18

¹ Revised Paper on Barton Park Redevelopment Area' King Sturge, January 2004 (CD52).

and CD19) together provide adequate justification in terms of need and the sequential approach. However, the Plan would benefit from a clearer statement about the current locational status of the site. For office and leisure purposes the site is considered edge-of-centre. This should be clearly explained in the reasoned justification. The Plan should also include a paragraph detailing how Barton Park will complement the Eastleigh Town Centre Strategy (CD23), with particular reference to the identified leisure/cultural quarter around the Recreation Ground.

- 4.37. With regard to the flooding and surface water issues, the Council has indicated that neither the link road nor Barton Park lie within the floodplain. I agree with the Council that the appropriate stage to assess any impact of the redevelopment of Barton Park on flood prevention is at the detailed planning application stage. In terms of surface water run-off, the Environment Agency has advised that a carefully designed SUDS scheme should be considered in conjunction with the redevelopment in order to protect the River Itchen SSSI. SUDS systems ought to be used wherever practicable, as part of all future development, but the policy does not preclude the development of alternative methods for disposing of surface water run-off. Criterion (f) of Policy 57.BE ensures that the protection of the River Itchen and the internationally and locally designated sites is taken into consideration as part of any proposal. No modification is required in response to the related objections.
- 4.38. Turning to the Public Safety Zone (PSZ) issues, paragraph 4.21 restricts land use in the PSZ to landscaping and car parking. A PIC is proposed which adds "warehousing used by a very small number of people" to the list of permitted uses. DfT Circular 1/2002 states that there should be a presumption against any development or redevelopment of areas within a PSZ except for certain forms of low-intensity development. These include low-intensity warehousing, landscaped areas and car parks. Paragraph 4.21 and Policy 57.BE (d), including the PIC, comply fully with the advice in the Circular. The PSZ bisects the site at an awkward angle and therefore careful attention will have to be paid to design and layout of any scheme in the development brief and master plan. Circular 1/2003 requires local authorities to consult with airport operators about any development which may attract birds within a designated 13 km radius of the airport. There are clearly elements of any proposal at Barton Park, such as landscaping, about which the airport operator will need to be consulted. However this will have to take place at the application stage as and when proposals come forward and I do not consider that there is any need for a specific reference in this regard.
- 4.39. The Council wishes to retain reference to offices and visitor attractions in criterion (c) of Policy 57.BE. It states that it would not be appropriate to refer to high-density uses in relation to sites closest to the town centre and rail station because of the implications of the PSZ. Given the constraints that the PSZ places upon development in parts of Barton Park and the advice in DfT Circular 1/2002, I agree with the Council that it would be inappropriate to promote high-density development, in the way suggested by the developer, through Policy 57.BE, and I find no conflict

with PPG13 in this regard. The density of the development at Barton Park can be examined more thoroughly through the production of the development brief and masterplan. In response to the objection that the policy should not prescribe specific land uses, the proposed PIC to criterion (c) of Policy 57.BE responds to the objector's request that the list should be less prescriptive, by adding the words 'other people intensive uses'. In my view this resolves the objection in a satisfactory way.

Recommendations

- 4.40. The Plan be modified by the addition of the following sentence to the reasoned justification for Policies 56.BE and 57.BE:-
'Until Barton Park Special Policy Area is comprehensively redeveloped, it will be regarded as an existing employment site to which Policy 134.E applies.'
- 4.41. Policy 56.BE be modified in accordance with the PIC on page 5 of CD7, except that the text referring to retail warehouses be deleted and replaced as follows:-
'Retail units for the sale of bulky goods will only be permitted on the site if there is a demonstrable retail need and a more suitable site cannot be identified.'
- 4.42. The reasoned justification for Policies 56.BE and 57.BE be modified by:-
i) the addition of a sentence stating categorically that Barton Park represents an out-of-centre location in terms of retailing and an edge-of-centre location in terms of leisure and office uses, and
ii) the addition of a paragraph explaining how the Barton Park development will complement the Town Centre Strategy, with particular reference to the planned leisure/cultural quarter around the Recreation Ground.
- 4.43. Paragraph 4.21 of the reasoned justification be modified in accordance with the PIC on page 5 of CD7.
- 4.44. The modification of paragraph 4.19 as proposed in the PIC on page 5 of CD7 not be made.
- 4.45. Policy 57.BE criterion (c) be modified in accordance with the PIC on pages 5 and 6 of CD7.
- 4.46. No other modification be made to the Plan in response to these objections.

Paragraph 4.23: Other Centres

Objections

See Appendix A for the list of objections on this matter

Main Issue

- *need for clarification*

Inspector's Considerations and Conclusions

- 4.47. Paragraph 4.23 states that other sites that arise in Hedge End and West End will be on a small scale and development briefs will be prepared to guide development on such sites.
- 4.48. Paragraph 4.23 does not relate to any specific policy in the chapter and is simply a statement of intent. If the Council has particular sites in mind then these should be included in the Plan as specific proposals. Since this appears not to be the case the paragraph should be deleted.

Recommendation

- 4.49. The Plan be modified by deleting paragraph 4.23.

Policy 58.BE: Urban Greenspaces

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *need to reflect PPG17*
- *accuracy of open space designation to west of Old School Theatre, Allbrook*
- *whether open space at Grange Park, Hedge End should be extended*

Inspector's Considerations and Conclusions

- 4.50. Policy 58.BE seeks to protect designated green space within an urban area from development unless it is replaced and/or improved by other accessible green space.
- 4.51. With regard to the first issue, it is not necessary or desirable that local plan policies should repeat national planning guidance verbatim. Since the publication of the Second Deposit Draft the Council has undertaken a local assessment of need in accordance with the advice in PPG17, and I have no reason to doubt that Policy 58.BE will not be applied in accordance with the revised policies on open space that take account of the needs assessment.²
- 4.52. Turning to the second issue, the Council has acknowledged that the designation of this land as public open space was in error. Accordingly I recommend the deletion of this designated area from the Proposals Map.
- 4.53. In respect of the third issue, the Council has agreed to extend the designated open space at Grange Park, Hedge End in accordance with the related objection. This would resolve the concern and I recommend accordingly.

Recommendations

- 4.54. The Proposals Map be modified by the deletion of the Public Open Space designation to the west of Old School Theatre, Allbrook in accordance with EBC400.
- 4.55. The Proposals Map be modified in accordance with objection FO0253/E/31.BE in relation to Grange Park, Hedge End.
- 4.56. No other modification be made to the Plan in response to these objections.

² See Chapter 9 of this report which deals with the proposed revision of the open space policies.

Policy 59.BE: Promoting Good Design

Objections

See Appendix A for the list of objections on this matter

Main Issue

- *need to reflect PPG3's advice about respect for the character and appearance of the locality*

Inspector's Considerations and Conclusions

- 4.57. In general, Policy 59.BE requires development proposals to demonstrate a satisfactory relationship with their surroundings, including their various elements. The policy requires that proposals are accompanied by a written design statement.
- 4.58. In its response to the objection, the Council indicated that it proposed to add a new paragraph after paragraph 4.26, but this recommendation does not seem to have been carried through to the Second Deposit Draft. In any event, while I acknowledge the points raised by the objector, the policy simply repeats the provisions of Policy 60.BE criterion (i). It also overlaps with text in the Housing Chapter which emphasises the need for higher densities of development in general, consistent with good design. To avoid duplication and in the interests of clarity, Policy 59.BE should be deleted.

Recommendation

- 4.59. The Plan be modified by the deletion of Policy 59.BE.

Policy 60.BE: Promoting Good Design

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *appropriate level of detail*
- *need to take full account of higher densities as promoted in PPG3*
- *need for link between land use and accessibility of the public transport system*
- *appropriateness of protecting the outlook of existing development*

Inspector's Considerations and Conclusions

- 4.60. Policy 60.BE is a criteria-based policy which seeks to control the design of new developments. The amended policy wording in the Second Deposit Draft makes clear that new development must comply with all of the criteria; I consider that this resolves an objection about lack of clarity.
- 4.61. With regard to the level of detail, I share an objector's concern that the policy contains too many detailed criteria and as a result it is unwieldy. SPD should be used to set out more detailed guidance and I do not accept that it is either necessary or desirable to have this level of detail scrutinised through the local plan process. The Council can ensure that SPD is subject to public scrutiny and that it has been prepared properly. Criteria (vi), (x), (xi) and (xii) are detailed design matters that would more appropriately be explained in SPD. Also, some of the criteria of Policy 60.BE repeat provisions elsewhere in the Plan. Criterion (v) is dealt with under Policy 99.T; criterion (vii) is dealt with under Policies 109.T, 112.T and 113.T; criterion (viii) is dealt with in Policies 19.CO and 20.CO. These criteria should be deleted from the policy.
- 4.62. With reference to criterion (iv), I agree with another objector that it is onerous and is unclear as to its intentions. The word 'promote' should be deleted and replaced by the word 'use' in the interests of clarity. Also, the requirement to 'locally source' native species should be deleted since it would be unreasonable for a local planning authority to attempt to require that developers buy only locally grown plants. But the additional text proposed by the objector, 'wherever possible/practicable' is ambiguous and unnecessary.
- 4.63. In respect of PPG3's advice on density, new housing of whatever scale should not be viewed in isolation and considerations of design and layout must be informed by the wider context. Criterion (i) adequately reflects this advice but criterion (ii) states that development proposals should not result in overdevelopment of the site. I consider the latter to be too negative in the context of PPG3, paragraph 57. The density of new

residential development is dealt with in the Housing Chapter of the Plan and this, together with criterion (i) of Policy 60.BE, provides sufficient guidance to developers.

- 4.64. With regard to the link between land use and accessibility, I have concluded above that criterion (vii) should be deleted because it repeats the provisions of Policies 109.T, 112.T and 113.T. The Plan should be read as a whole and repetition of policy should be avoided.
- 4.65. In respect of the final issue, the Council states that loss of outlook as referred to in criterion (ix) relates to matters such as overlooking and sense of enclosure, rather than seeking to protect views from neighbouring properties. I agree with the Council that overlooking and enclosure/loss of daylight are important design matters that should be included in the local plan, but criterion (ix) already refers to these. The reference to loss of outlook is therefore superfluous and potentially misleading and should be deleted.

Recommendations

- 4.66. Policy 60.BE be modified by the deletion of criteria (ii), (v), (vi), (vii), (viii), (x), (xi) and (xii). Instead, the Council should consider including this detailed design guidance in a SPD, where appropriate.
- 4.67. The second sentence of criterion (iv) of Policy 60.BE be modified so that it reads, 'Development should use native plants in landscape schemes to benefit biodiversity.'
- 4.68. Criterion (ix) of Policy 60.BE be modified by the deletion of the words, 'loss of outlook'.
- 4.69. No other modification be made to the Plan in response to these objections.

Policy 35.BE (First Deposit): Urban Regeneration

Objections

See Appendix A for the list of objections on this matter

Main Issue

- *need to prevent demolition of habitable buildings*

Inspector's Considerations and Conclusions

- 4.70. Policy 35.BE has been deleted from the Second Deposit Draft. It sought to assist regeneration in urban areas through the re-use of previously developed land and buildings, environmental improvements and by securing funds from developers towards reducing the need to travel, especially by private car.
- 4.71. Where residential or other buildings do not have protected status it would not be appropriate to seek their retention through policies in the Plan. Planning policy in general seeks to make more effective use of scarce land resources by, amongst other means, increased density of development, and in some cases this may be appropriately achieved by the redevelopment of sites occupied by existing dwellings. No modification should be made to the Plan in response to the related objection.
- 4.72. A separate objection about lack of clarity is resolved by the deletion of the policy.

Recommendation

- 4.73. No modification be made to the Plan in response to these objections.

Policy 62.BE: Homezones

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *status of policy*
- *appropriateness of reference to national guidance*

Inspector's Considerations and Conclusions

- 4.74. Policy 62.BE states that the Council will permit development which incorporates the home zone concept in accordance with the PPG3 companion Guide, 'By Design, Better Places to Live'.
- 4.75. The policy has been amended in the Second Deposit Draft and in my view these changes address the concern that the original wording was a statement of intent rather than a policy.
- 4.76. I agree with the objection that the reference to the PPG3 companion guide in the policy should be deleted. National guidance is regularly updated and as a matter of best practice, direct references to national planning policy should not be made in local plans in order to avoid the plan being rendered out-of-date.

Recommendations

- 4.77. Policy 62.BE be modified by deleting the following words, '... and which accords with the guidance in the companion guide to PPG3: By Design Better Places to Live.'
- 4.78. No other modification be made to the Plan in response to these objections.

Policy 63.BE: Crime Reduction

Objections

See Appendix A for the list of objections on this matter

Main Issue

- *appropriate level of detail*

Inspector's Considerations and Conclusions

- 4.79. Policy 63.BE seeks to control the design of development in the interests of crime reduction. It contains 20 design criteria relating to residential and commercial development.
- 4.80. I share the objector's concern that the policy is much too detailed and complex and as such it does not comply with PPG12, paragraph 3.14. Even though the individual criteria may be clear, their sheer number and the interaction between the different sections and criteria within the policy are confusing. Nonetheless, reducing the potential for crime is an important planning objective that should be reflected in the Plan. This could be achieved by incorporating the first sentence as an additional criterion in Policy 60.BE. The remainder of the policy should be deleted and the Council should consider including all or some of the material in a SPD on design matters.

Recommendations

- 4.81. The Plan be modified by the deletion of Policy 63.BE and the incorporation of an additional criterion in Policy 60.BE to the effect that new development should reduce the potential for criminal activity and antisocial behaviour by the use of appropriate design.
- 4.82. The Council should give consideration to incorporating some or all of the detailed criteria in Policy 63.BE into a SPD.

Paragraph 4.33: Access for People with Disabilities

Objections

See Appendix A for the list of objections on this matter

Main Issue

- *need for reference to the Disability Discrimination Act*

Inspector's Considerations and Conclusions

- 4.83. Paragraph 4.33 explains how the Council will take the needs of people with disabilities into account in determining proposals for new development.
- 4.84. The Council's response to the objection proposes the addition of a reference to the Disability Discrimination Act 1995. This change would satisfy the related objection but in my view it is unnecessary to make direct references to legislation in local plans since these are matters which must be taken into account in any event. The inclusion of direct references also places the Plan at risk of becoming out-of-date.

Recommendation

- 4.85. No modification be made to the Plan in response to the objection.

Policy 65.BE: Car Park Design

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *clarity of the policy*
- *need for reference to permeable surfaces*

Inspector's Considerations and Conclusions

- 4.86. Policy 65.BE seeks to control the design of car parks in a way that would soften their visual impact on the surrounding area and create secure environments which discourage crime.
- 4.87. The amended policy in the Second Deposit Draft clarifies that all of the criteria must be met. I consider that this resolves the objection about lack of clarity.
- 4.88. The words, '...and incorporate permeable surfaces where appropriate', as suggested by the objector, have been added to the supporting text in paragraph 4.34 of the Second Deposit Draft. Therefore, no modification is necessary in response to the objection.

Recommendation

- 4.89. No modification be made to the Plan in response to these objections.

Policy 66.BE: Overhead Electricity Lines

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *justification for reference to 50m buffer zone*
- *need to comply with draft circular on electromagnetic fields*

Inspector's Considerations and Conclusions

- 4.90. Policy 66.BE seeks to control development in the vicinity of overhead power lines. The supporting text states that as a guide, no dwelling should be within 50m of a power line.
- 4.91. With regard to both issues, guidance in paragraph 17 of the draft circular, Land-use and Electromagnetic Fields Consultation Exercise (issued in January 1999) states that any cordon sanitaire should not be established on the grounds of health-related issues because there is no evidence of adverse health effects derived from living in close proximity to overhead power lines. The Council regards the 50m figure as a residential amenity and not a health-related guideline. This is reflected in the wording in paragraph 4.35 which refers to residential amenity and design considerations.
- 4.92. However, I find no good reason to conclude that a 50m guideline figure would assist in the protection of residential amenity or that any specific distance figure would be appropriate. The important considerations in each case must be site-specific, for example, the layout and orientation of development, topography and existing landscape features. In some cases the imposition of a distance criterion could lead to a less visually attractive development with exacerbated impact from pylons and overhead power lines. Therefore, subject to some rewording to provide a policy rather than a statement of intent, I commend the policy approach and reasoned justification advanced by the National Grid. These take account of the National Grid's design guidelines for such development (CD48) which post-date the EBLP Inquiry and reflect best practice in the protection of residential amenity. However, I do not consider that it would be appropriate to include a specific reference to the design guidelines in the Plan.

Recommendations

- 4.93. Policy 66.BE be deleted and replaced as follows:-
`Planning applications for developments close to overhead electricity transmission lines will be expected to demonstrate that the design, orientation and siting of buildings and the landscaping of the site has

regard to the amenity of potential occupiers and the need to avoid the creation of unattractive environments.'

- 4.94. Paragraph 4.35 of the Plan be modified by the deletion of all except the first sentence and the addition of new text as follows:-
Where development is proposed beneath or in close proximity to an existing high voltage electricity line, care should be taken in the layout, orientation and design of the development to limit the visual impact of any overhead power lines and pylons by the careful siting of buildings and the arrangement of the spaces between those buildings.
- 4.95. No other modification be made to the Plan in response to these objections.

Policy 67.BE: Telecommunications

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *compatibility with PPG8*
- *need for reference to ICNIRP guidelines for public exposure*
- *need to minimise visual impact of masts on the historic built environment*
- *flexibility of the policy wording*

Inspector's Considerations and Conclusions

- 4.96. Policy 67.BE is a criteria-based policy which seeks to control the development of telecommunications masts in the interests of public safety and the protection of the landscape and historic built environment. I note that the Second Deposit Draft policy contains a number of typographical errors in the numbering and layout of the criteria which will require correction, but I refer below to the criteria in the order in which they appear in the Second Deposit Draft.
- 4.97. It is not necessary to repeat national guidance in local plan policies. The matters referred to by the objector are set out clearly in the policy, which refers to mast sharing, landscape, conservation areas and listed buildings. The guidance advises that such policies should be general in nature and by definition should not contain procedural details that are already set down in national guidance and regulations. However, I agree with the Council that the word 'mast' should be added to the third criterion of the policy in accordance with the objection.
- 4.98. The amended policy in the Second Deposit Draft contains additional criteria that refers to the ICNIRP guidelines and to conservation areas and listed buildings. This addresses the related objections. The PIC (CD7) includes an amendment to the fifth criterion by replacing the word 'adverse', with the word 'unacceptable'. This would address the objection on the matter.

Recommendations

- 4.99. Policy 67.BE be modified by the addition of the word 'mast' in the third criterion as set out in EBC351, and by the deletion of the word 'adverse' and its replacement with the word 'unacceptable' in the fifth criterion in accordance with the PIC on page 6 of CD7.
- 4.100. No other modification be made to the Plan in response to these objections.

Policy 69.BE: Advertisements

Objections

See Appendix A for the list of objections on this matter

Main Issue

- *clarity of the policy*

Inspector's Considerations and Conclusions

- 4.101. Policy 69.BE is a criteria-based policy which seeks to protect the attractiveness of streets in town and village centres in the interests of amenity and public safety.
- 4.102. In the interests of consistency with changes made elsewhere in the Plan in response to similar objections, the word 'all' should be inserted in the first paragraph of the policy. This will clarify and strengthen the policy.

Recommendation

- 4.103. Policy 69.BE be modified so that the first sentence reads, 'Consent will be granted for the display of a hoarding, sign or advertisement provided it meets all the following criteria:'.

Policy 70.BE: Environmental Improvements

Objections

See Appendix A for the list of objections on this matter

Main Issue

- *status of policy*

Inspector's Considerations and Conclusions

- 4.104. Policy 70.BE seeks to secure contributions from developers towards a fund for environmental improvements in the District's urban and village centres.
- 4.105. I agree with the objector that Policy 70.BE is a statement of intent, contrary to paragraph 3.14 of PPG12 and should be deleted from the Plan. If the Council has specific proposals in mind for environmental improvement schemes that are of sufficient scale, they should be included in the Plan or in a SPD. Chapter 12 of the Plan contains a general policy relating to developer contributions which can be used to secure environmental improvements, where appropriate.
- 4.106. Other objections concerning specific schemes that should be listed and the economic viability of brownfield schemes and their potential to contribute funds for environmental improvements need no further comment in the light of my conclusion above.

Recommendation

- 4.107. The Plan be modified by the deletion of Policy 70.BE and its reasoned justification.

Policy 71.BE: Notifiable Installations

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *need for control over development in the vicinity of notifiable installations*
- *overlap with powers exercised by the Health and Safety Executive*
- *omission of reference to oil pipe line that runs through Hamble*

Inspector's Considerations and Conclusions

4.108. Policy 71.BE is a new policy in the Second Deposit Draft that seeks to control development in the vicinity of notifiable installations. The supporting text states that the Health and Safety Executive will be consulted when considering such proposals.

4.109. With regard to the first and second issues, the Council has added Policy 71.BE in response to an objection from GOSE. This accords with the advice in paragraph 6.23 of PPG12 that development plans should contain policies which control development close to installations where hazardous substances are used or stored.

4.110. In respect of Hamble-le-Rice, paragraph 4.43 already includes a reference to the BP installation. There is no need for any modification in response to the related objection.

Recommendation

4.111. No modification be made to the Plan in response to these objections.

Policy 72.BE: Southampton International Airport Public Safety Zone

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *need to update text*
- *whether boundary of the zone should be altered to cover specified areas*

Inspector's Considerations and Conclusions

4.112. Paragraphs 4.44 and 4.45 explain the background to the setting up of airport public safety zones and apply the restrictions to the northern approach to Southampton International Airport which lies wholly within the Borough. Policy 72.BE seeks to control development in the Southampton International Airport Public Safety Zone (PSZ) by preventing development which would significantly increase the population living and working in the area.

4.113. The detailed nature of the text and the references to national guidance that have had to be revisited and updated between the First and Second Deposits highlight the folly of making direct references to national guidance and government initiatives in the Plan. The detailed information about government consultations in relation to public safety zones adds unnecessary detail to the Plan, contrary to the advice in PPG12. I recommend that paragraph 4.45 should be simplified in the interests of brevity and clarity. Where detailed procedural advice is required then developers or interested parties can refer directly to the relevant Circulars. In accordance with my recommended modifications, the policy, supporting text and the depiction of the PSZ on the Proposals Map would adequately reflect the latest government guidance. Regarding paragraph 4.44, I agree that the reference to the need for the Council to consult with the 'airport operator' and the 'National Air Traffic Service' should be included, thereby updating the reference to the Civil Aviation Authority.

4.114. In respect of the boundary of the PSZ, this is a matter for the Department for Transport, not the Council, and I make no recommendation on the related objections.

Recommendations

4.115. The final sentence of Paragraph 4.44 of the Plan be modified by the deletion of the words, 'the Civil Aviation Authority' and their replacement

by the words, 'the airport operator or with the National Air Traffic Service (in the case of the beacon)..'

- 4.116. Paragraph 4.45 of the Plan be modified by the deletion of the third, fourth, seventh and eight sentences.
- 4.117. No other modification be made to the Plan in response to these objections.

BEEXC: Omissions from the Urban Renaissance and the Built Environment Chapter

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *omission of policies on renewable energy*
- *need to address risk to a notifiable installation from new development*
- *omission of a policy on water consumption*
- *omission of a specific policy on SUDS*
- *whether Plans 4, 5 and 6 (First Deposit Draft) should be shown on the Proposals Map as inset maps*
- *whether paragraph 3.17 should be reinstated*

Inspector's Considerations and Conclusions

- 4.118. The amendments made in the Second Deposit Draft of the Plan include the division of the former chapter on Urban Renaissance and Environmental Sustainability into two different chapters. Many of the issues above are dealt with in the Environmental Sustainability Chapter. These include policies on renewable energy, water consumption and SUDS in the Environmental Sustainability Chapter. No modification of Chapter 4 is required in response to the first, third and fourth issues.
- 4.119. Policy 71.BE and the supporting text both refer to the risk posed to the public from development in close proximity to notifiable installations. This would include those working at the installation. No modification is necessary in response to the related objection.
- 4.120. Turning to the fifth issue, Plans 4, 5 and 6 have been renumbered as Plans 5, 6 and 7 in the Second Deposit Draft. The Council has indicated that it will identify inset maps on the Proposals Map. I have already recommended that Plan 6 (Eastleigh Town Renaissance Quarter) should be identified on the Proposals Map as an inset map in my recommendations under Policy 53.BE above. Similarly Plan 7 (Barton Park) should also be shown as an inset on the Proposals Map. Plan 5 is schematic; it does not identify specific sites and in my view would be more appropriately retained, if the Council wishes, as a supplement to the text of Chapter 4.
- 4.121. Regarding the sixth issue, in response to the objection the Council has agreed that paragraph 3.17 should be re-instated. I agree and recommend accordingly.

Recommendations

- 4.122. The Proposals Map be modified by the inclusion of Plan 7 as an inset map.
- 4.123. The Plan be modified by the reinstatement of paragraph 3.17 (Eastleigh Town Renaissance Quarter) as deleted in the Second Deposit Draft.
- 4.124. No other modification be made to the Plan in response to these objections.

CHAPTER 5

HOUSING

Paragraphs 5.1-5.13 and Policy 73.H: Overall Housing Strategy and Provision

Objections

See Appendix A for the list of objections on these matters

Main Issues

- *appropriateness of the overall strategy*
- *adequacy of the provision made by Policy 73.H*
- *need for 10 years' supply from the date of adoption*
- *need to provide for an MDA*

Inspector's Considerations and Conclusions

5.1. A number of the objections to the First Deposit Draft have been overcome by the Second Deposit Draft, so far as land has been identified for the estimated requirement up to 2011, and not 2006. However, at the heart of the outstanding objections is the concern shared by many that the Plan would still fail to make adequate provision for housing requirements, having regard to the baseline and reserve numbers for the Borough set out in Policies H2 and H4 of the HCSP. I deal firstly with the objections that go to the heart of the Plan's strategy for housing, secondly with the actual provision figure in Policy 73.H and its adequacy, thirdly with the issue of conformity with the HCSP so far as provision for a Major Development Area (MDA) is concerned, and finally with various other objections. A number of the objections also promote specific sites that are not allocated in the Plan. These are considered at the end of this Chapter under the section headed HEXC. Objections to the site-specific housing proposals in the Plan are considered under the corresponding policy number. The specific objections to the absence from the Second Deposit Draft of a summary table setting out the housing supply figures, and to the content of the table shown in the Pre-Inquiry Change document (CD7) are also taken into account below.

The Overall Strategy

5.2. The Plan's provision for 5148 dwellings up to 2011 is intended to meet only the baseline requirement set by the HCSP. This strategy has been put forward on the basis that the reserve provision will not be required in the Borough, given the performance of the south-west Hampshire sub-area as a whole in meeting the housing requirement set out in the HCSP. The Council has drawn attention in particular to Southampton's case, where existing commitments are expected to deliver approximately 2500 dwellings in excess of its HCSP requirement¹. In summary, the housing provision made by the Plan relies upon a sub-regional approach to meeting the HCSP requirement, and it anticipates that the forthcoming review of the regional strategy and its sub-regional elements will confirm the correctness

¹ This figure has been put forward by the Council in CD16: Housing Provision Background Paper, August 2003, Table 1.

of this approach. This strategy is underpinned by the desire to minimise the use of greenfield sites within the sub-area and in the Borough in particular. The Council relies on the advice in PPG3 as support for this approach and points to the opportunity to bring forward an early LDD to facilitate the delivery of housing in the sub-area as required by the emerging regional spatial strategy.

- 5.3. However, I consider that the Plan's housing strategy is unacceptable for a number of reasons. It relies on continuing over-performance by other districts in the sub-area to produce a final out-turn figure that will meet the HCSP requirement, but this is not for the Council to determine and it is dependent on many factors outside its control. There are sound planning reasons why the review of performance should take place at a higher level than the district, and any adjustments that are required should be made to the overall provision figures at that level, not at district level. There is no evidence that the HCSP has been overtaken by events to the extent that the unilateral revision of its baseline and reserve housing provision strategy might be justified in the Plan. The certificate of non-conformity issued by the County Council reflects this position and cannot easily be set aside.
- 5.4. This is not to suggest that greenfield sites should be released simply because the HCSP indicates a baseline and reserve provision for the Borough. The evidence points to a need to improve the rate of housing delivery, since Eastleigh's performance to date in providing its share of the HCSP baseline requirement is significantly below the annualised average rate of provision. An average annual provision of about 420 dwellings is required, but the 2000-2003 period yielded only 211, 180 and 150 dwellings per annum respectively. From the start of the HCSP period in 1996, the Borough has provided on average only 82% of its annualised rate of provision. This trend is mirrored by under-performance elsewhere in the county, albeit not in Southampton. And the rate of provision in Hampshire expected by RPG9 is currently not being met, therefore underlining the need for a responsible approach to housing delivery.
- 5.5. Eastleigh's rate of provision increased to 551 dwellings in 2003/04 and is on course for a similar performance in 2004/05, but there is clearly a need for consistently high rates of delivery in the remainder of the Plan period in order to meet the HCSP requirement. However the Plan's strategy would introduce a new obstacle to delivery by deferring any consideration of reserve sites until the next plan, whenever that comes forward. This is inappropriate and unhelpful in the current climate of need for increased, not decreased, rates of provision in the Borough, Hampshire and the South East region generally. As amplified below, the Plan should be modified to address the requirement in Policy H4 of the HCSP.

Adequacy of the Provision made by Policy 73.H

- 5.6. I consider here the objections that seek changes to the number of dwellings that would be provided for by Policy 73.H, based on the details of the housing supply calculations. At the outset, I note that the Second Deposit Draft does not contain a table setting out the elements of the housing supply. This has led to considerable uncertainty and difficulty in

ascertaining how the supply figure has been calculated, but the Council has accepted that such a table should be reinstated² and I concur, provided that it relates to Eastleigh Borough only. During the Inquiry the Council produced EBC402, Overall Housing Figures, May 2004; this is based on the information in CD11 and it provided a useful summary document, including an update for the RTS on overall housing provision. Since then the Council has also produced two further updates on housing provision (EBC544 and 546). EBC402 in particular is generally helpful in distinguishing the key sources of supply and will no doubt form the basis for a new table in the modified Plan.

- 5.7. In accordance with EBC402, the total supply of dwellings for the period 2001-2011 is 4919, and this would produce a surplus of 709 dwellings over the baseline requirement and a deficit of 1791 in terms of the baseline plus reserve requirement. The update provided by EBC544 suggests that the deficit should be reduced by a further 170 dwellings to an overall net total of 1621 (baseline plus reserve), while EBC546 indicates a further reduction in the deficit to 1494, based on increased windfalls and greater capacity in the Renaissance Quarter of Eastleigh. A number of objections relate to the elements of the supply calculations, in particular to the commitments figure, the assumptions about urban capacity, the windfall assumptions generally, and the proposed greenfield allocations in the Plan. In broad terms these objections contend that the deficit is more likely to be in the order of 2200 dwellings.
- 5.8. Objectors question the likelihood that some of the commitments will be implemented in the Plan period. I note that some long-standing commitments on small sites have not come forward, but there seems to be reasonable grounds for accepting that the anticipated yield will be achieved by 2011. The likelihood of completing the much larger Pirelli Phase 2 site at Leigh Road has also been questioned, but the Council has already built in an assumption that about 214 units of the total capacity will not be completed until post-2011 and this seems appropriate. The update on progress given in EBC544 indicates that higher yields are likely to be achieved on some of the committed sites than were expected in EBC402. Having regard to all the other points made about sites included in the commitments figure, there is insufficient basis to doubt that it is a reasonable one that can be broadly accepted.
- 5.9. Turning to the 'additional urban capacity sites at 2002' as set out in EBC402, and those that are identified on the Proposals Map, I share objectors' concerns about the lack of clarity in presentation. It has made it difficult to distinguish which sites referred to in the Plan or its supporting documents have been counted as urban capacity sites. An example of the difficulty is that Policies 93.H and 94.H refer to particular sites that are proposed for residential development, even though EBC402 states that these sites are either wholly or partially excluded from the housing supply calculations on the basis that they will not deliver within the Plan period.
- 5.10. I share objectors' concerns about some of these sites. In particular, the

² The First Deposit Local Plan provided in Table 1 a statement of the housing provision figures at September 2001.

Central Precinct/Ahmed Tea site in Chandler's Ford is very unlikely to come forward without the use of compulsory purchase powers and these are not envisaged; therefore it should be made unambiguously clear that this site, with an anticipated capacity of 100 dwellings, is not included in the supply calculations. Also, the 'non-conforming use sites' identified in Policy 93.H, which have an anticipated total capacity of 105 dwellings, are by the Plan's own admission in lawful uses that may continue indefinitely. There is no good reason to conclude that they are likely to come forward for residential development in the Plan period; if they do, they may be treated as windfalls but in the meantime the supply estimate should not include any dwellings from these sources. Policy 86.H sets out the Council's proposals for the redevelopment of the British Bakeries site at Toynbee Road for about 200 dwellings, even though EBC402 states that it should be discounted from the supply calculations in its entirety. I agree. The specific objections to the corresponding policies (86.H, 93.H and 94.H) are considered elsewhere in this chapter.

- 5.11. A number of objectors query the realism of other elements of the urban capacity assessment, including redevelopment of land surplus to the education authority's needs, but I consider that these sites are likely to be brought forward for development and there is no substantive evidence to suggest that the estimated capacity will not be realised within the Plan period. The expectations for the Urban Renaissance Quarter in Eastleigh are that it will yield about 120 dwellings in the Plan period. Current interest in this area suggests that this is not an unrealistic figure and I do not consider that further discounting would be justified. However, reference to this area's housing potential is confined to Policy 53.BE in Chapter 4 of the Plan, and the absence of reference to it in the Housing Chapter adds to the general confusion and uncertainty about which of the urban capacity sites the Council relies upon to contribute towards meeting the housing requirement. This should be rectified, and in general, much greater clarity in presentation of the supply calculations and the identification of urban capacity sites on the Proposals Map should be provided in the modified Plan.
- 5.12. In other respects the Council has been criticised for not applying a transparent discounting process to urban capacity sites. I agree that the original urban capacity study (CD24) does not appear to have matched best practice standards in respect of consultation with the house building industry or in its approach to discounting. But from the detailed information presented at the Inquiry, and subject to the comments above, I do not consider that there are any fundamental reasons why the Council's re-appraisal of the potential of the individual sites should not now be accepted.
- 5.13. The Council seeks to include an 'additional sites' allowance, based on windfalls of 10 or more dwellings that have come forward over and above the urban capacity study and have not been recorded elsewhere in the supply calculations. EBC402 proposes an allowance of 430 dwellings from this category (140 of which are already under construction or have planning permission). Given the numbers that have been realised from this source in the past two years, I consider that the proposed allowance for a

continuation of these trends up to 2011, discounted at 50%, is reasonable. With regard to small windfall sites (1-9 dwellings), EBC402 makes an allowance for 554 dwellings, 2002-2011, based on a projection of completion rates from 1996-2002. This also appears to be a reasonable estimate that is supported by continuing, generally steady rates of delivery of housing from this source.

- 5.14. Finally, many of the objections to the Plan centre on the proposed new greenfield allocations. While Dowd's Farm and Whitetree Farm are now effectively 'commitments', I have taken into account the likelihood that these and the other greenfield allocations of land to the south of Monks Way and South Street (Policy 83.H) and at Woodside Avenue (Policy 85.H) will be delivered within the Plan period. In the light of my recommendations on the specific objections to those sites dealt with elsewhere in this report³, I conclude that the supply figure for Policy 83.H should be reduced to 380 dwellings but that the allocations should be retained in the Plan. In the light of my conclusions on the omission sites⁴ put forward for consideration at the Inquiry, none of these should be preferred to the baseline provision sites referred to above. None of the other objections that seek a standard discount of between 10-20% of the commitments or allocations figures are accepted, since in my view this approach would not accord with PPG3.
- 5.15. Overall, I consider that Policy 73.H should be modified to set out the residual housing requirement to meet the HCSP's baseline plus reserve figure, and that the policy should be supported by a table that clearly identifies the sources of supply, including completions, commitments, urban capacity sites, windfalls (distinguishing between smaller and larger sites), and the required new greenfield allocations. In the light of the evidence, I consider that the Second Deposit Draft proposals would result in a deficit of about 1850 dwellings against the HCSP requirement for baseline plus reserve provision. This is derived from the data in EBC402, accepting that the commitments figure of 2426 will be achieved if not exceeded, that the additional urban capacity sites as listed in EBC402 will achieve their expected potential and that the windfall estimates are reasonable, but that the greenfield allocation on land south of Monks Way and South Street should be reduced to about 380 dwellings⁵ and that no allowance should be made for any of the Policy 93.H sites. I do not consider that the update information provided in EBC544 and 546 justifies a reduction in the deficit from that shown in EBC402, although it lends support to the reliance placed by the Council on brownfield sources and indicates that the capacity set out in EBC402 will be realised, if not exceeded.
- 5.16. The question remains as to how much of the deficit figure should be regarded as 'reserve provision' in accordance with the HCSP. The latter seeks a reserve of 2500 dwellings in Eastleigh Borough for the period 2001-2011. It follows from my conclusion above that the sites identified and the

³ See under Policies 82.H, 83.H, 84.H and 85.H respectively in this chapter.

⁴ The omission sites are considered in alphabetical order by address under HEXC in this chapter.

⁵ This entails a deduction of 52 dwellings from the capacity figure given in EBC402. I note that the capacity figure given in Policy 83.H is lower, at 400 dwellings.

windfall estimates as set out in EBC402 can be relied upon to produce about 4860 dwellings, 2001-2011. This would entail a surplus of about 650 dwellings over the total baseline requirement for Eastleigh in the period 1996-2011 as set by the HCSP. On this basis I consider that the 1850 dwellings deficit is against the reserve provision and it is the balance that would be required to reserve sites to meet HCSP Policy H4 in full.

- 5.17. Given that a surplus over the baseline would be provided for, it might be argued that some of the greenfield or less sustainable sites should be deleted or transferred to the reserve. But in my view the surplus should be accepted as a cushion against under-provision, and the LDF process can take it into account in the next review of housing provision. Also, from my consideration of the objections to the proposed allocations in the Plan, none of these sites should be deleted from the baseline provision.

The Ten Years' Supply Issue

- 5.18. A number of the objections seek the inclusion of provision for at least 10 years of housing supply from the forecast date of adoption of the Plan. This refers to the advice in paragraph 6.8 of PPG12 about the duration of plans. However, in this case I do not consider that the advice in PPG12 should lead to an extension of the plan period. To do so at this stage would be likely to delay significantly the adoption of the Plan and it would not assist the delivery of housing in the short to medium term. But if the Plan is modified in accordance with my recommendations on identification of reserve sites, I estimate that this will achieve the equivalent of just under seven years' supply from the date of adoption, assuming an annual average provision of 420 dwellings.⁶ The reserve sites should be included in this calculation since they could be called upon and released fairly quickly if the need arises. On balance, I consider that the most appropriate response to PPG12's aim is to seek the early adoption of the Plan, thereby facilitating continuity of the housing supply and enabling the earliest possible transition to the new LDF system. This would allow consideration to be given to early production of site-specific development plan documents concerning housing and associated matters for the post-2011 period.
- 5.19. Briefly, I note also that the Proposals Map should indicate 5 years' supply of sites from the date of adoption, in order to reflect the spirit of PPG3's advice. I estimate that the modifications that I recommend would achieve this aim, since the urban capacity sites, new greenfield allocations and the reserve sites would provide in excess of five years' identified supply.

Need to Provide for an MDA

- 5.20. I deal here with the objections that the Plan is not in general conformity with the HCSP because it fails to provide for a Major Development Area (MDA) as part of its housing strategy. Policies MDA1 and MDA3 of the HCSP clearly go beyond housing provision alone, but the objections may, for the most part, be conveniently considered here. The objectors regard Policy MDA3 (which seeks at least 3000 dwellings in the period up to 2011)

⁶ This takes account of the reserve sites totalling 1155 dwellings, and the capacities of Dowd's Farm, Monks Way/South Street, Woodside Avenue, Pirelli Phase 2, and the Urban Renaissance Quarter but not of any other urban capacity or windfall sites.

as an inextricable element of the HCSP strategy and not one that the Council may chose to discard or update in some way.

- 5.21. At the outset, it is important to note that the County Council's statement of non-conformity is in respect of overall housing provision and does not cite the failure to include an MDA in the Plan. The County Council explained at the RTS that it has sought to be flexible by not objecting to the absence of an MDA proposal in the Plan and it is aware of the emphasis placed on brownfield sites. It considers that the onus is on Eastleigh Borough Council (EBC) to demonstrate that it can provide the numbers required by Policies H2 and H4 of the HCSP in a more sustainable way.
- 5.22. EBC contends that the purpose of MDA3, the south-east of Eastleigh MDA, is no longer valid because the brownfield capacity of south-west Hampshire, especially Southampton, has greatly exceeded the expectations on which the housing and general strategy, and particularly the MDA3 element of the HCSP was based. As a result, the Council considers that MDA3 would lead to the release of greenfield land on a scale that would be far in excess of any requirement for the current plan period; therefore, it could prejudice the ability of the emerging regional spatial strategy (RSS) and the Council's Local Development Framework (LDF) documents to identify the most sustainable option for future development needs.
- 5.23. The meaning of 'general conformity' is a legal matter. But in my view the County Council's approach to this issue is very important and merits considerable weight. It seems to acknowledge that the planning process is a dynamic one and that it is right to seek to respond to changes in circumstances and the emergence of new information.
- 5.24. Paragraph 116 of the HCSP sets out that the purpose of the MDAs generally was to meet the long-term development needs of the County that could not be met within existing urban areas (my underlining). And paragraph 127 states that MDA3 will help to meet the development needs of south-west Hampshire. MDA3, while undoubtedly a policy of County-wide significance, was based on the assessments of urban capacity in south-west Hampshire that were available at the time. Table A on page 55 of the HCSP shows the assumed built-up area capacity 2001-2011 for the constituent districts. Its figure for Eastleigh (800 dwellings) is very significantly lower than is now likely to be achieved (in the order of 3500 dwellings, based on the information in EBC402). And while the outcome for Southampton is not within the remit of this Inquiry, it is appropriate to note that the HCSP estimate of Southampton's urban capacity as 4800 dwellings also appears likely to be significantly exceeded⁷.
- 5.25. It seems to me therefore that it is appropriate to follow the County Council's approach, and in doing so that I am not usurping the strategic planning decision-making that quite rightly should only be carried out at a strategic level, nor inviting the Council or others to seek to re-write the HCSP. But it is open to me, and indeed essential, that I seek to establish whether the Plan would make provision for development in a form and at a

⁷ This is based on the information presented in CD16: Housing Provision Background Paper: August 2003.

scale that is required to ensure the delivery of the HCSP housing and other requirements in a sustainable way, with appropriate continuity for both the Plan period and beyond. In doing so, I have considered all the competing proposals put to the Inquiry, including the two MDA schemes.

- 5.26. On the basis of that evaluation and in the light of the above, I conclude that the Borough is capable of exceeding by a significant margin the baseline provision expected of it by the HCSP, without releasing an MDA. While the adequacy of the provision in South-West Hampshire as a whole remains to be assessed elsewhere, there is sufficient reason to doubt that an MDA is required in Eastleigh for these wider needs. Sustainability considerations, especially the need to protect greenfield land against unnecessary development, lead me to conclude that an MDA should not be released in this Plan period. It is more appropriate that the strategic planning authorities should decide if and how Policy MDA3 ought to be taken forward in the next plan period. In this regard I have noted paragraph 232 of the HCSP which seeks that any new allocations should not be detrimental to the implementation of the proposed MDAs, but I do not take this as an embargo on considering whether the HCSP housing requirement can now be met in a more sustainable way than an MDA.

Other Matters

- 5.27. A number of other objections raise various points about the loss of employment land that would be entailed by the Plan's focus on urban capacity sites, and more general concerns about inadequate comparative assessment of the sustainability of various options. The former is taken into account in Chapter 7: The Economy, while the latter forms part of my appraisal of the site-specific proposals contained in the Plan or brought forward by objectors. An objection that the Bugle, Hamble-le-Rice should be regarded as a brownfield site can be taken into account in the next review of the Urban Capacity Study but no modification to the Plan is warranted in this regard. Finally, one of the objections takes specific exception to the Plan's encouragement for reduced car parking provision in residential areas, but in my view this would accord with national planning policy and the reference in paragraph 5.1 of the text is therefore appropriate.

Conclusions

- 5.28. In accordance with my recommendations elsewhere in the report, the modified Policy 73.H would make provision for a surplus of about 650 dwellings over the HCSP's baseline housing requirement. I have also identified potential reserve provision on six sites with a total capacity of about 1155 dwellings. This would clearly fall short of the HCSP reserve requirement and I have considered very carefully whether this would be acceptable. However, the identification of additional reserve sites from amongst the omission sites that I have dismissed would entail conflict with PPG3's criteria for the selection of housing sites or with locally important policies to protect the separate identity of settlements or nature conservation interests. Also, the MDA options that were considered at the Inquiry would not be appropriate as reserve provision, nor should they be

preferred to the baseline sites. And in the light of the considerations about housing delivery to meet RPG9's requirements, I am satisfied that a reserve provision of about 1155 dwellings would be adequate, given the robustness of the supply figures in EBC402, my conclusions on the deliverability of the allocated sites, and the substantive evidence that the brownfield regeneration of Eastleigh is gathering pace and likely to continue well into the future. Taking all of these matters into account, I consider that the deficit against the reserve provision is acceptable at this stage in the Plan period and that it is unlikely to have any detrimental effect on the achievement of the HCSP's or RPG9's housing requirements.

Recommendations

5.29. The Plan be modified as follows:-

- i) Policy 73.H be modified to set out the residual housing requirement against the HCSP's baseline provision set by Policy H2, and to set out the reserve provision requirement of Policy H4 of the HCSP. Policy 73.H should also include an up-to-date table summarising the housing supply position, but excluding any reference to provision outside the Borough. On current information and in the light of my recommendations on specific sites, this table will show that the Plan will make provision for a surplus of about 650 dwellings over the baseline requirement by 2011 and that sites for about 1155 dwellings are identified in the Plan to contribute towards the HCSP's reserve provision;
- ii) no allowance should be made in the supply calculations for dwellings on the Ahmed Tea/Central Precinct site, the British Bakeries site at Toynbee Road, or the non-conforming use sites in Policy 93.H;
- iii) all of the urban capacity sites (including the Urban Renaissance Quarter in Eastleigh) that are expected to contribute to the supply up to 2011 should be clearly identified in the housing supply table and the sites should be identified on the Proposals Map;
- iv) the sites that constitute the reserve provision should be listed in Policy 73.H and identified appropriately on the Proposals Map;
- v) a new policy be added to set out the circumstances in which the release of any of the reserve site provision would be considered. This should be based on the monitoring process and the factors set out in Policy H4 of the HCSP, but in the interests of securing an appropriate response to under-supply, it should not require that the release of any of the reserve sites could only be brought forward through an alteration to the Plan, and
- vi) consequential modifications be made to the reasoned justification.

5.30. No other modification be made to the Plan in response to these objections.

Policy 74.H: Mixed Use Development

Objections

See Appendix A for the list of objections on this matter

Main Issue

- *adequacy and specificity of the policy*

Inspector's Considerations and Conclusions

- 5.31. A number of the objections to the First Deposit Draft Policy 63.H (renumbered as Policy 74.H in the Second Deposit Draft) seem to relate principally to the now deleted paragraph 4.16, which refers to PPG3's search sequence. The points made in those objections have been partially addressed in the Second Deposit Draft, and so far as they raise issues about the comparative sustainability of alternative housing sites, they are taken into account in my consideration of the site-specific cases.
- 5.32. One of the objections that directly addresses Policy 74.H requests that specific locations for mixed use should be identified in the Plan. I agree in principle, and note that Policies 53.BE and 56.BE are concerned with specific locations for mixed uses. However, I consider that Policy 74.H clarifies the approach that would be taken by the Council to opportunities for mixed use development in general and it serves a useful purpose in this regard. The objection that it fails to provide a proper basis for the planning of the area does not seem to take sufficient account of the policy's place in the Plan as a whole. Seen in this wider policy context and subject to my recommendations on other parts of the Plan, I do not consider that Policy 74.H is inadequate.

Recommendation

- 5.33. No modification be made to the Plan in response to these objections.

Policies 75.H and 76.H: Housing Densities

Objections

See Appendix A for the list of objections on these matters

Main Issues

- *compatibility with PPG3*
- *densities in Hamble*

Inspector's Considerations and Conclusions

- 5.34. The essence of objectors' concerns about these policies and the supporting definition of net density in paragraph 5.17 of the Second Deposit Draft is that they do not accord with PPG3's advice and could lead to the wasteful use of land. The Council has acknowledged that the two policies could be combined and has set out a consolidated policy that also incorporates paragraph 5.17 in the Pre-Inquiry Changes document (PIC) (CD7), but it does not accept the fundamental criticism in regard to PPG3.
- 5.35. So far as paragraph 5.17's definition is concerned, I accept that the canopy spread of retained trees could be appropriately excluded from the net developable area of a site, although in practice most retained trees are likely to be included in green spaces, whether incidental green space or in open spaces serving a wider area, and therefore already accounted for in Annex C to PPG3. Other landscape or water features worthy of retention are also likely to be included in areas of open space serving a wider area, and therefore the exclusion of this category from net developable area calculations is unlikely to make a significant difference in most cases. Overall, I consider that there is sufficient justification for retaining the definition in the form set out in paragraph 5.17 and in the PIC since it provides reasonable and clear advice on how development proposals would be assessed and it does not entail any fundamental conflict with the definition in Annex C.
- 5.36. The final sentence of the PIC describes an exceptional circumstance where the Council may be prepared to accept densities as low as 30dph. But taking the policy as a whole, I do not consider that there is any need for this final sentence, because there is already enough flexibility in the policy wording to enable such cases to be treated on their merits.
- 5.37. It has been suggested that the policy needs to make clear that it is concerned with net residential density and I agree that a minor modification of the wording is required in this respect.
- 5.38. One of the objectors argues that high densities should not be permitted in the Hamble area, but I do not consider that there is sufficient justification for treating the Hamble area as a whole as an exceptional case, since there

is no substantive evidence that it has special features meriting a departure from the principles set out in the policy. Nonetheless, each site would be treated on its own merits in accordance with the policy.

Recommendations

- 5.39. (i) The Plan be modified by the consolidation of Policies 75.H and 76.H as set out in the Pre-Inquiry Changes, page 9, except that the final sentence of the consolidated policy, commencing with 'On sites of less than 10 dwellings...' be deleted, and that the word 'net' be inserted before the words 'residential density' in the first sentence of the policy;
- (ii) no other modification be made to the Plan in response to these objections.

Policy 79.H: Creating Mixed Communities

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *appropriateness of the policy reference to SPG*
- *whether the targets are unduly prescriptive*

Inspector's Considerations and Conclusions

- 5.40. The revised policy and reasoned justification in the Second Deposit Draft overcome some objections to the level of detail and the prescriptive nature of the First Deposit version. However, concerns remain about the inclusion of a reference to the Council's SPG within the policy. I consider that this reference should be deleted since the policy should not rely on criteria set out in another document. Instead, reference to the SPG should be confined to the reasoned justification, where its status as a material consideration in the determination of planning applications should be made clear.
- 5.41. The reasoned justification refers to the proposed targets for the mix of two, three and four-bedroom houses in new developments, and in so doing it has raised concerns that it is unduly prescriptive. However, in my view the use of the word 'about' in relation to the percentage figures adds flexibility, and it is also made clear that the targets are matters for negotiation on individual proposals.
- 5.42. I consider that the modified policy, supplemented by the explanation in the SPG, would provide a reasonably clear but flexible framework for the consideration of individual planning applications, including those for sheltered housing schemes. Therefore I do not commend any other modifications in respect of the remaining objections.

Recommendations

- 5.43. (i) Policy 79.H be modified by the deletion of the words, 'based on the Council's Supplementary Planning Guidance Housing Mix';
- (ii) the reasoned justification for the policy be modified to clarify that the SPG is a material consideration that will be taken into account in the determination of planning applications, and
- (iii) no other modification be made to the Plan in response to these objections.

Policies 80.H and 81.H: Affordable Housing

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *level of need*
- *definition of affordable housing*
- *role of key worker housing*
- *targets for greenfield and brownfield sites*
- *site-size thresholds*

Inspector's Considerations and Conclusions

- 5.44. Policies 80.H and 81.H are set against the background of the Council's assessment that there is a high level of need for affordable housing in the Borough. The Eastleigh Housing Needs Survey (HNS) 2002 (CD57) concluded that there would be an annual requirement to build over 700 affordable dwellings to meet the backlog of need and cater for newly-arising need. The update carried out in 2004 (CD88) concludes that there will be an annual shortfall of 672 affordable dwellings and it indicates that access to market housing has become more difficult since 2002. Following the round table debate on these matters, the Council produced EBC553 which seeks to address some of the objections. This has been subject to consultation with objectors and I have taken account of their representations in drawing my conclusions.
- 5.45. One of the objections challenges this assessment in some detail, including criticisms of the survey methodology and assumptions. On the basis of a re-working of the assessment stages using different assumptions it is shown that a theoretical surplus of affordable housing could exist in the Borough. It seems to me that much of the difference can be attributed to conflicting interpretations of the Guide to Good Practice on housing needs assessment⁸. Unhelpfully for the purposes of this Inquiry, the significance of the differences in the methodological points could not be resolved and it leads inevitably to some uncertainty about the robustness of the Council's assessment. However, the Guide to Good Practice acknowledges that there is scope for quite considerable variation within and around the common framework of housing needs assessments, depending on the circumstances of different localities. In this case the assessment methods reflect considerable local experience and I find it difficult to reject the conclusions of the study that has utilised a well-tried methodology. Its conclusions are supported by other evidence of the disparity between incomes and house prices in the market area, and by the Council's experience with the Housing Register.

⁸ Local Housing Needs Assessment: a Guide to Good Practice. DTLR, July 2000.

In these circumstances, I have concluded that there is no reasonable alternative to accepting that the assessment of need is broadly correct and that it can form a workable basis for negotiation under the terms of the Plan. But at the earliest suitable opportunity the Council should ensure that a new assessment is undertaken that has full regard to the guidance currently being reviewed on this matter.⁹

Definition of Affordable Housing

- 5.46. There are concerns that the definition of affordable housing in the Plan is too narrow in its reference to particular types of affordable housing. But the definition, as amended in EBC553, makes clear that its list of categories is illustrative, not exhaustive, and in my view it is fundamentally sound. The objection that it does not include low-cost market housing is noted, but I accept that in this case the affordability gap between prevailing incomes and house prices is so great that in practice low-cost market dwellings, unless their price is reduced by some form of subsidy, would be unaffordable to those in housing need as identified in the HNS 2002. Therefore I do not consider that paragraph 5.26 is unduly onerous or in conflict with the spirit of the advice in Circular 6/98; it would broadly accord with the definition of affordable housing set out in emerging national policy advice¹⁰.
- 5.47. The definition relates to the income threshold set out in paragraph 5.28 of the amended text. This has not changed fundamentally from the wording in the Second Deposit Draft which sets a threshold of 25% of gross household income. Concern is raised that this definition may not endure for the life of the Plan. While this may be the case and is a difficulty associated with any attempt to set a numerical threshold, the figure is within the range that is generally accepted and it appears reasonable in the local context. Should it prove necessary to review this threshold before the end of the Plan period it could be amended by bringing forward a supplementary planning document.

Role of Key Worker Housing

- 5.48. The amended definition in EBC553 seeks to resolve objections to the Plan's treatment of key worker housing. Paragraph 5.25 as amended now specifically includes subsidised key worker housing as a category of affordable housing. I commend this re-wording, but given the amended definition, I can find no reasonable justification for the intention to retain criterion (iii) of the policy, which seeks an additional element of key worker housing on sites that are either owned by an agency employing key workers or sold by such an agency for development. This criterion is unduly onerous and should be deleted. In consequence, the paragraph in the reasoned justification (paragraph 5.35 in EBC553) that refers to this matter should also be deleted.
- 5.49. I note also that paragraph 5.25 of the reasoned justification refers to the

⁹ At the time of writing, practice guidance on local housing assessments is expected to be issued later in 2005, accompanying revised national policy on the provision of affordable housing.

¹⁰ See 'Planning for Mixed Communities', ODPM January 2005, a consultation paper on proposed changes to PPG3.

Council's Key Worker Policy, while not making clear the status of this document or providing any other detail about it. While this reference does not appear to have given rise to objection, it would be advisable in the light of PPG12's guidance to delete the reference or alternatively to make clear its full title and its status.

Targets for Greenfield and Brownfield Sites

- 5.50. The policy sets out separate targets for the percentages of dwellings on greenfield or brownfield sites that should be affordable. In the former case it seeks 40%, while the target for the latter is 30%. This is said to reflect valuation issues and the level of housing need in the Borough. However, I do not consider that either of these matters would justify the separate targets in the policies. So far as valuation is concerned, both greenfield and brownfield sites have a wide range of factors that potentially affect viability and it is unjustified to assume that the balance will normally be in favour of greenfield development. Even though the level of housing need is great, the contribution from private development to meeting that need must be negotiated, and the proposed differentiation between brownfield and greenfield sites is unlikely to assist in this process. Also, the different targets would not take account of the suitability of sites for more or less affordable housing; this is not directly related to whether they are greenfield or brownfield but includes a wide range of factors as indicated in Circular 6/98.
- 5.51. In my view the target should be set at 35% of dwellings on all suitable sites, whether greenfield or brownfield. This is less than the 40% target recommended by the HNS 2004 update, and is greater than the brownfield target set out in the Second Deposit policy, but it seems to me to be an appropriate one that would be neither unduly optimistic nor cautious. I have no doubt that the local, sub-regional and regional context supports the need to seek the highest possible level of affordable housing provision; on the other hand, an unrealistically high target would weaken the Council's opening position in negotiations and may discourage sites from coming forward. However, recent experience suggests that about 35% provision can be achieved on sites within the Borough. This target should not be regarded as a maximum or minimum figure. Instead, the reasoned justification should be modified to make clear that the target of 35% is the starting point for negotiations that will take account of all the relevant factors referred to in paragraph 5.30 of EBC553.
- 5.52. The reference in paragraph 5.32 to the requirement for financial evidence has raised objections which I understand. Nonetheless, it would be reasonable to expect that any argument based on viability could be substantiated, and therefore I support the Council's approach in principle. The amalgamation of this paragraph with the preceding one, as set out in EBC553, helps to set the appropriate context, but the sentence should also be re-worded in the interests of clarifying and limiting the purpose of the requirement. It should state that any proposal to under-provide affordable housing against the Plan's target would need to be justified by substantive evidence.

Site Size Thresholds

- 5.53. Policy 80.H seeks an element of affordable housing on all sites capable of accommodating 15 or more dwellings, and in special circumstances smaller sites would also be expected to provide affordable dwellings. The policy makes clear that the reference to smaller sites includes those either in the ownership of an agency employing key workers, or on a site sold by such an agency for development. The amended text in EBC553 seeks to clarify the types of special circumstances that might apply. These include areas of highest need, locations that are particularly sustainable, and areas where there would otherwise be little opportunity to achieve some element of affordable housing.
- 5.54. In general I agree that the threshold size should be set at 15 or more dwellings. This reflects emerging national policy¹¹ that proposes lower thresholds than were set out in Circular 6/98, and in the case of Eastleigh Borough I consider that it would be fully justified both by the level of need and the limited opportunities that would be available to increase the supply of affordable housing if a threshold above this level were to be set; nonetheless, the reasoned justification should make this clear. The stated intention to seek affordable housing provision on sites below this threshold size in certain circumstances is also acceptable in my view, except that the circumstances should be limited to those three bullet points set out in EBC553, in order to provide clarity and certainty. I do not consider, however, that there is adequate justification for the specific reference in criterion (iv) to sites that are owned/being sold by agencies employing key workers. If one or more of the special circumstances set out in EBC553 applies to sites coming forward in this way, then the Council would be justified in seeking some element of affordable housing on sites that are below the 15 dwelling threshold, but not otherwise. Accordingly, the reference should be deleted.

Other Matters

- 5.55. Paragraph 5.38 of the Plan states that the requirement to provide affordable housing would apply whether or not Housing Corporation or other grant support is available. In response to objections, EBC553 suggests an amended wording that explains the cascade approach that would be utilised in these circumstances. In my view this is an acceptable clarification, but the final sentence of paragraph 5.25 in EBC553 should be deleted since it overlaps with, and is potentially in conflict with the explanation in paragraph 5.36.
- 5.56. In response to other objections, I do not consider that the Plan seeks to prescribe which partners might be used to provide affordable housing, but the amendment in EBC553 which makes this clearer is commended. The objections to the content of paragraph 5.36 are noted, but subject to the deletion of the reference to the Housing Corporation's standards, I do not consider that the expectation that affordable housing should be

¹¹ See 'Planning for Mixed Communities', the consultation paper on proposed changes to PPG3, published in January 2005.

integrated within the overall development is unreasonable, and it reflects government policy advice. For the same reason I do not recommend any modification of criteria (v) or (vi) of the policy. Given the urban character of the Borough and the scale and pattern of its settlements, I do not find any need for a 'rural exception sites' policy on affordable housing, nor would it be justified to seek to distinguish provision targets for individual settlements or sites. Finally, I consider that the amended wording of paragraph 5.33 of EBC553, in relation to off-site provision, is an acceptable response to the objections that the Plan as worded was unduly onerous.

- 5.57. An outstanding objection to Policy 81.H seeks greater clarification of the policy. However, the Plan should be read as a whole, and given the changes made at Second Deposit stage to Policy 80.H and the suggested amendments in EBC553, I do not consider that any further clarification is needed in respect of Policy 81.H.

Recommendations

- 5.58. Policy 80.H and its reasoned justification be modified in accordance with EBC553 but subject also to the following additional amendments:-
- i) the deletion of criteria (i) and (ii) of the policy and their replacement by a new criterion as follows:
'that a target of 35% of the new dwellings provided on sites which meet the other criteria set out below are affordable;'
 - ii) the re-wording of paragraph 5.29 and the incorporation of paragraph 5.30 as follows:
'On the basis of the housing needs survey and valuation issues, the Council's target is that 35% of new dwellings on sites to which this policy applies should be affordable. This should not be regarded as either a maximum or minimum figure but as the starting point for negotiations on the appropriate level of provision. The precise proportion of housing that should be affordable on individual sites and the mix of types of affordable housing on sites will be negotiated with the applicant in the light of this target, taking account of a number of factors. These include the latest Government policy, Council Housing Strategy, Supplementary Planning Guidance/Supplementary Planning Documents and Housing Needs Survey; local needs; the site's location and circumstances; and the extent of other requirements placed on the development. It is recognised that some sites involve unforeseen and/or exceptional development costs and in these cases the Council will be flexible in negotiating realistic affordable housing targets (see also paragraph 5.23). However, any proposal for a development that would under-provide affordable housing against the Plan's target should be justified by substantive evidence.';
 - iii) the deletion of criterion (iii) of the policy;
 - iv) the deletion of paragraph 5.35 of the reasoned justification as set out in EBC553;
 - v) the re-wording of criterion (iv) of the policy as follows:
'that affordable dwellings are provided on all sites capable of

accommodating 15 or more dwellings and in special circumstances that affordable dwellings are provided on smaller sites; these circumstances are:-

- a) where sites are located in parts of the Borough with the highest level of need for affordable housing, or
- b) where the location is particularly sustainable in respect of proximity to shops, schools, community facilities and good public transport, or
- c) where the number of sites for 15 or more dwellings that come forward is likely to be limited in a particular area of the Borough.';

- vi) the deletion of the final sentence of paragraph 5.25;
 - vii) the re-wording of the second sentence of paragraph 5.31 to read: 'It considers that this threshold is justified by the high level of housing need demonstrated by the Housing Needs Survey (2003, updated in 2004) and the limited opportunities that would otherwise be available to help in meeting this need', and
 - viii) the deletion of the words, '...and be of a design and specification acceptable to the Housing Corporation' from paragraph 5.34.
- 5.59. Consequential modifications be made to the site-specific policies in the Plan, replacing the targets of 30% and 40% for brownfield and greenfield sites respectively by a single target figure of 35%.
- 5.60. At the earliest suitable opportunity the Council should ensure that a new assessment of housing need is undertaken that has full regard to the guidance currently being reviewed on this matter.
- 5.61. The Council is also advised that the nature and status of the Key Worker Policy referred to in paragraph 5.25 of the Plan (paragraph 5.26 of EBC553) is unclear, and that it would be preferable either to delete the reference or clarify the nature of the policy so that it can be readily identified and its status as a material consideration can be understood.
- 5.62. No other modification be made to the Plan in response to these objections.

Policy 82.H: Dowd's Farm, Hedge End

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *appropriateness as a housing allocation*
- *proportion of affordable housing to be sought*
- *status of the development brief*

Inspector's Considerations and Conclusions

5.63. Policy 82.H is a new policy in the Second Deposit Draft that provides for development of about 500 houses and other uses on the land at Dowd's Farm, Hedge End. Objections to the policy raise a variety of concerns about the justification for this allocation and other matters. However, by the opening of the Inquiry a resolution to grant outline planning permission on the site had been passed by the Council, and in the interim period various outstanding matters, including agreement with the Highways Agency have been resolved. In my view the principle of development on this site has been established and it can be regarded as a commitment for the purposes of this Inquiry. In these circumstances I do not consider it necessary or appropriate to make any recommendations in respect of the objections to the policy and the Council should consider whether there is any need to retain a policy on this site in the modified Plan.

Recommendation

- 5.64. I make no recommendation in respect of these objections. The Council will no doubt consider whether there is any need to retain a policy on this site in the modified Plan.

Policy 83.H: South of Monks Way and South Street, Eastleigh

Objections

See Appendices A and B for the list of objections on this matter

Main Issues

- *loss of allotments*
- *accessibility to facilities*
- *relationship with the strategic gap and the countryside*
- *effect on nature conservation*

Inspector's Considerations and Conclusions

5.65. Policy 83.H is a new policy in the Second Deposit Draft that seeks to bring forward a site for residential development to the south of the existing residential area at Monks Way and South Street, to the south of Eastleigh town centre. The proposed site extends to about 13.5ha and comprises two existing allotments sites off South Street and Monks Way, open space and some other open land. It lies within the Strategic Gap as designated on the Proposals Map of the current Eastleigh Borough Local Plan 1997.

Loss of Allotments

5.66. A very large number of objections to this proposal, and indeed most of the objections to the Plan as a whole, refer to the loss of the statutory allotments that would be entailed. The two sites combined provide about 40% of the Borough's allotment resource. Any redevelopment of them would be subject to consent under the Allotments Act 1925, including the replacement of the allotments that would be lost by adequate, alternative provision as required, and I do not seek to prejudge the outcome of that statutory process.

5.67. Whether or not the statutory consent is forthcoming, national planning policy advice on this matter is that existing open spaces should not be built upon unless an assessment has been undertaken which has clearly shown the open space to be surplus to requirements. The Council has assessed the need for open space, including allotments, in the Borough and in its sub-areas and is well advanced in developing a strategy for allotments provision up to 2011. This takes account of the loss of the South Street/Monks Way allotments and their partial replacement elsewhere on the site. However, substantive criticism has been levelled at the assessment's methodology and the proposed strategy in terms of both quantitative and qualitative aspects. There is particular concern at the apparent reliance on increasing vacancy rates in recent years as a measure of demand, and well-documented evidence leads me to conclude that more

work needs to be done to assess latent demand and likely future demand. In these circumstances it is difficult to be certain that the proposed replacement facilities would be at least as accessible to current and potential new users, and at least equivalent in terms of size, usefulness, attractiveness and quality. The decision on the application under the Allotments Act will be made in the light of these and other matters and the Council will need to address them accordingly.

- 5.68. However, even though it is not yet clear whether the demand for allotments sites would be met satisfactorily by the replacement facilities being developed by the Council, I do not consider that this is a good enough reason to reject the allocation of this site. There is a pressing need to identify sites for new housing in sustainable locations in the Borough. For the reasons set out below, this site has particular merit as an urban extension. Its development would help to achieve wider sustainability objectives, by facilitating significant improvements in other types of open space for which there is a particular need. Some provision for allotments demand would continue to be met in this location, while the development of new facilities elsewhere in the Borough would appear to offer a better geographical spread of allotments sites in relation to the population as a whole. In some cases a balance has to be found between apparently competing objectives. While I appreciate objectors' views that the loss of the existing allotments would reduce the attractiveness of the town, I consider that the benefits of the proposed allocation would outweigh any advantages of retaining the current level of allotments provision at South Street/Monks Way. I conclude that development on the existing allotments should be accepted in principle.

Accessibility to Facilities

- 5.69. Some of the objections challenge the suitability of the site for housing, but I agree with the Council's judgement that this is one of the most accessible locations for new housing development in the Borough, and it offers considerable potential for reducing the need to travel by car. Future residents would have easy access by non-car modes of transport to a wide range of important facilities - educational, employment, shopping, and community - and there are interchange facilities close by at Eastleigh bus and rail stations. Southampton Airport and the Parkway station are only about 1km from the site. Having regard to the national planning policy emphasis on reducing the need to travel by car, I consider that this is a particularly appropriate and sustainable location for new residential development.
- 5.70. I am mindful that the overall sustainability balance is affected by other factors such as the accessibility of the new allotments sites to their users. But it is likely that the wider spread of allotments that would be achieved in association with the redevelopment of this site would offer easier accessibility by non-car modes to a greater number of people. Balancing all of the issues, and contrary to some objectors' views, I consider that residential development of this site has the potential to increase overall sustainability and the viability of Eastleigh town centre.

Relationship with the Strategic Gap and Countryside

- 5.71. Concerns have also been raised about the effect of the proposal on the strategic gap between Eastleigh and Southampton and on the countryside setting more generally. I agree that this matter needs very careful attention, not only because the development would extend into the strategic gap but due to the sensitive, open nature of the landscape to the south of Eastleigh and the site's elongated frontage to this open vista. However, there are two extant planning permissions for development in this area that need to be taken into account in this regard. The permission for a garden centre on part of the site would, if implemented, be likely to have a significant visual effect, especially when seen from Wide Lane. The other permission for the proposed flyover which will be constructed as part of the Chickenhall Lane Link Road will in any event have a significant impact on views from and into the strategic gap. In this context I consider that the extent of visual incursion into the gap by the proposed housing development would be quite limited. Enough land would still be retained within the strategic gap to ensure the physical and visual separation of the two settlements.
- 5.72. Nonetheless, the view of the development from Wide Lane and from the proposed new flyover are likely to be particularly sensitive features, and the environment of residents living close to these roads also needs careful attention. The development brief for the site (CD43) seeks to address the landscape and countryside issues, but I share objectors' concerns that its indicative master plan may not lead to a high quality southern boundary for the site or a good quality environment for future residents. This is not an objection to the suggested three and four-storey blocks, which may be appropriate in this location provided that they are sited carefully and with adequate space for landscaping. But in order to achieve this, a reduction in the overall density of the development may be required. For this reason I recommend that the estimated capacity of the site should be reduced to about 380 dwellings in order to ensure that there is sufficient flexibility to achieve the design objectives.

Effect on Nature Conservation

- 5.73. There are nature conservation interests on the site and nearby on Lakeside Country Park that would be affected by the proposed development. These include a variety of birdlife, reptiles and moths, some of which are protected species. A Site of Importance for Nature Conservation lies within the country park. Hedge clearance and other ground works that have already taken place appear to have damaged or destroyed some important interests and I share the concerns expressed by objectors about the manner in which these works have been carried out. However, there are insufficient reasons to conclude that the Council's ecological assessment of the site was inadequate, and the extensive information collected by some of the objectors, while valuable and commendable, does not alter my overall evaluation of the site. I do not consider that the proposal would have such negative effects on biodiversity in the local area or across the wider swathe of countryside as to be unacceptable, and I am satisfied that any harmful impacts could be resolved by mitigation measures. The site lies

at the edge of the countryside where replacement habitats are available or could be developed, and there will also be opportunities for the creation of new habitats on the site itself.

Other Matters

- 5.74. The objections also include concern at the loss of open space that would be entailed. The allotments element of open space is considered above. In other respects, the development would make adequate replacement provision for the loss of the children's play space, and it would create an accessible green link between the residential areas to the north and the countryside park to the south. It would also help to fund a partnership agreement for public use of Southampton University's playing fields to the south of the country park. Overall, I consider that the development would lead to improved access to high quality public open spaces.
- 5.75. An objection seeks the reduction of the target for affordable housing provision on the site from 40% to 30%, but I have recommended elsewhere that the target in Policy 80.H should be set at 35% and I do not find any substantive evidence justifying a lower target for this site. In any event the target is for negotiation, taking into account all relevant factors, and it should not be regarded as a maximum or minimum figure. In response to an objection that there should be a special policy area to deal with the links between the Northern Business Park, the airport, the Chickenhall Lane Link Road and the employment and railway land to the east of Wide Lane, I do not consider that this would yield any benefits in terms of the proposed residential allocation under Policy 83.H. There are a number of linked objections to Policy 172.OS and to the Green Network and these are considered in the respective chapters elsewhere in this report.
- 5.76. In the light of the above, I recommend that further work be undertaken by the Council to assess latent and future demand for allotments in the Borough but that the site should nonetheless be allocated for development in the Plan period. As the policy already requires, satisfactory alternative provision will need to be provided and made ready for occupation before the housing development commences. The need to obtain the statutory consent for the development of the allotments introduces some uncertainty about timing, but notwithstanding the further work that needs to be done, I consider that the site is likely to deliver most if not all of its housing capacity within the Plan period.
- 5.77. In conclusion, Policy 83.H should be modified to reduce the site capacity to 380 dwellings approximately, but making clear that the precise number will be determined by design and layout considerations, especially the achievement of a high quality interface with the southern and eastern boundaries of the site. For consistency with my recommendations on other objections to the Plan's treatment of development briefs, it would also be appropriate to delete the references in Policy 83.H to the development brief. These should be replaced by a new reference in the reasoned justification, making clear that a development brief has been prepared for the site and that it will be taken into account as a material consideration in the determination of planning applications.

Recommendations

- 5.78. (i) Further work be undertaken by the Council to ascertain latent demand and future demand for allotments in the Borough and its findings be taken into account in the development of a strategy for allotments provision;
- (ii) Policy 83.H be modified by deleting the first criterion and replacing it as follows:
- i. development being primarily for residential purposes. It is anticipated that about 380 dwellings will be accommodated on this site but the precise size of the development will be determined by design and layout considerations, especially the achievement of a high quality interface with the southern and eastern boundaries of the site;
- (iii) consequential modifications be made to criterion (vi) of the policy in accordance with my recommendations under Policy 80.H;
- (iv) the reasoned justification be modified by the addition of a statement that a development brief has been prepared for the site and that it will form a material consideration in the determination of planning applications, and
- (v) no other modifications be made to the Plan in response to these objections.

Policy 84.H: Whitetree Farm, Fair Oak

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *site suitability*
- *location of open space and housing*
- *effect on local gap*

Inspector's Considerations and Conclusions

5.79. Policy 84.H is a new policy in the Second Deposit Draft that provides for development of about 45 houses and public open space at Whitetree Farm, Fair Oak. Objections to the policy raise a variety of concerns about the justification for this allocation and other matters. However, by the time of writing a resolution to grant outline planning permission on the site had been passed by the Council, subject to the completion of a legal agreement. In my view the principle of development on this site has been established and it can be regarded as a commitment for the purposes of this Inquiry. Taking all of these circumstances into account I do not consider it necessary or appropriate to make any recommendations in respect of the objections to the policy.

Recommendation

5.80. I make no recommendation in response to these objections. The Council will no doubt consider whether there is any need to retain a policy on this site in the modified Plan.

Policy 85.H: Woodside Avenue, Eastleigh

Objections

See Appendices A and B for the list of objections on this matter

Main Issues

- *accessibility and sustainability*
- *loss of allotments*

Inspector's Considerations and Conclusions

5.81. Policy 85.H is a new policy in the Second Deposit Draft that seeks to bring forward land off Woodside Avenue for about 100 dwellings. The site of about 3.3ha is currently occupied by allotments, a domestic waste recycling centre, and a number of community uses. An adopted development brief for the site (CD44) indicates a scheme for 100-120 dwellings and about 3200sq m of employment uses. Some of the existing allotment area would be retained to provide about 28 plots, while the domestic waste recycling facility and the community buildings would be relocated off the site.

Accessibility and Sustainability

5.82. Some of the objections challenge the suitability of the site for housing, but I agree with the Council's judgement that this is one of the most accessible locations for new housing development in the Borough, and it offers considerable potential for reducing the need to travel by car. Future residents would have easy access by non-car modes of transport to a wide range of important facilities - educational, employment, shopping, and community. The very wide range of facilities in Eastleigh town centre, including bus and rail interchange, lie within about 15 minutes walk of the site. Having regard to the national planning policy emphasis on reducing the need to travel by car, I consider that this is a particularly appropriate and sustainable location for new residential development.

Loss of Allotments

5.83. The objections to this aspect of the proposal generally reflect the concerns raised about the loss of allotments at South Street and Monks Way and I will not repeat them here. The Woodside allotments differ in one respect however, that they are very rarely left vacant. I draw the same conclusions as set out under Policy 83.H on the matters of principle. I consider that further work is required to complete a meaningful assessment of the demand for allotments provision in the Borough, including latent demand and demand that may arise in the future. This is also required to assess whether any replacement facilities would be at least as accessible to current and potential new users, and at least equivalent in terms of size, usefulness, attractiveness and quality. In this respect I have noted the concerns raised about the site at Broom Hill (Boyatt Lane) and in my view

it remains to be established that this would provide adequately for local needs.

- 5.84. However, even though it is not yet clear whether the demand for allotments sites would be met satisfactorily by the replacement facilities being developed by the Council, I do not consider that this is a good enough reason to reject the proposed allocation of this site. In some cases a balance has to be found between competing objectives. In my view the pressing need to identify sites for new housing in sustainable locations in the Borough outweighs any advantages of retaining the current level of provision at Woodside Avenue and leads me to conclude that development on the existing allotments should be accepted in principle.

Other Matters

- 5.85. Apart from the loss of allotments per se, more general concerns about loss of open space are raised in the objections. I understand that redevelopment of an open space within an existing developed area gives rise to fears about town cramming, but the area generally would retain a number of significant open spaces, even after most of the site is developed for housing or employment uses. A very large area of public open space lies a short walk to the west at Fleming Park, and the site itself would provide some new public open space. Also, I do not underestimate the contribution made by the existing allotments to a sense of community, but the retention of some provision on the site should ensure that this is not lost, and it is also capable of development by other means, including community facilities provision off the site.
- 5.86. As in the case of Policy 83.H, some objectors contend that it is unrealistic to expect the site to contribute to housing requirements before 2011, given the need for consent under the Allotments Act 1928 for redevelopment of the existing plots. There is also the need to relocate the existing community uses and the recycling centre, although delay in the case of the latter would not prevent the rest of the site from coming forward. However, I do not find enough reasons to doubt that these matters could not be resolved in time to allow the completion of most if not all the dwellings on the site by 2011. Another concern about the loss of employment land is noted, but this will be more than compensated for by the new employment space that would be brought forward as part of the redevelopment scheme. Regarding the appropriate level of affordable housing provision, my considerations set out under Policy 80.H apply here and there is no need for a site-specific figure in this case.
- 5.87. In the light of the above, I recommend that further work be undertaken by the Council to assess latent and future demand for allotments in the Borough but that the site should nonetheless be allocated for development in the Plan period. As the policy already requires, satisfactory alternative provision will need to be provided and made ready for occupation before the housing development commences. For consistency with my recommendations on other objections to the Plan's treatment of development briefs, it would be appropriate to delete the references in Policy 85.H to the development brief. These should be replaced by a new

reference in the reasoned justification, making clear that a development brief has been prepared for the site and that it will be taken into account as a material consideration in the determination of planning applications.

Recommendations

5.88. (i) Further work be undertaken by the Council to ascertain latent demand and future demand for allotments in the Borough and its findings be taken into account in the development of a strategy for allotments provision;

(ii) Policy 85.H be modified by deleting the first and second criteria and replacing them as follows:

i. development being for mixed residential and employment uses. It is anticipated that the site will accommodate approximately 100 dwellings;

ii. an area of land at the western end of the site will be reserved for Class B1 (b) and (c) business uses;

(iii) consequential modifications be made to criterion (vii) of the policy in accordance with my recommendations under Policy 80.H;

(iv) the reasoned justification be modified by the addition of a statement that a development brief has been prepared for the site and that it will form a material consideration in the determination of planning applications, and

(v) no other modification be made to the Plan in response to these objections.

Policy 86.H: Toynbee Road, Eastleigh

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *loss of employment land*
- *availability within Plan period*

Inspector's Considerations and Conclusions

- 5.89. Policy 86.H allocates land at the northern end of Toynbee Road for primarily residential purposes. The site is currently occupied by a number of employment uses, the largest of which is British Bakeries. The potential loss of employment land is taken into account in my consideration of the employment strategy in Chapter 7 of my report, and I conclude that it would be acceptable. And in this case there would be a significant environmental gain from redevelopment of the lands for housing due to the associated reduction in heavy goods vehicular traffic on the nearby residential streets.
- 5.90. However, the future of the bakery is rather uncertain, even though an intention to relocate was announced in 2002. The redevelopment of the lands would also depend on the relocation of Jewson, the builders' merchant, but this company has objected to the allocation on the basis that the loss of its facility at this location would have severe detrimental effects on its business. The objection might be overcome if a suitable, commercially viable relocation site that would allow Jewson to continue its operations without cost or inconvenience were made available by the Council, but there is no evidence that this could be achieved within a reasonable timescale. The Council has accepted in EBC402 that the site should be discounted in its entirety from the urban capacity assessment. I agree that it is unlikely to come forward for development within the Plan period. On this basis I consider that the policy and reasoned justification should be deleted from the Plan. This would not prevent an application for redevelopment being favourably considered under the terms of Policy 134.E, and in the meantime Policy 138.E would continue to give control over development proposals which might lead to increased industrial traffic. Given my conclusion, an objection to Plan 5 of the PIC document (CD7) does not require further comment.

Recommendation

- 5.91. Policy 86.H be deleted and any consequential modifications required should be made to the Plan.

Policy 87.H: Pirelli Site, Eastleigh (Phase I)

Objections

See Appendix A for the list of objections on this matter

Inspector's Considerations and Conclusions

5.92. At the time of writing this development has been implemented and is well advanced. In these circumstances I do not consider that it is appropriate to retain the policy in the Plan and I make no comment on the objections.

Recommendation

5.93. Policy 87.H be deleted and any consequential modifications required should be made to the Plan.

Policy 88.H: Pirelli/Passfield Avenue (Phase II)

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *loss of employment land*
- *reference to the development brief*
- *capacity of site and availability within the Plan period*
- *replacement of open space and community facilities*
- *affordable housing contribution*

Inspector's Considerations and Conclusions

- 5.94. Policy 88.H seeks to bring forward the redevelopment of employment land and buildings on the western section of the Pirelli site off Leigh Road, Eastleigh for primarily residential purposes, but with the retention of an existing office premises and the provision of some new employment floorspace. A number of the objections raise concerns about the loss of employment land entailed by this and other allocations/commitments, and also about the implications for the supply of employment land generally in the Borough. I deal with these matters in the consideration of the employment strategy in Chapter 7 of the report, and as I conclude there, the Plan would make adequate provision for employment needs. So far as this site is concerned, I agree with the Council that the replacement of heavy industrial uses by an element of office and light industrial uses as proposed is more appropriate in this location and will make best use of a site in close proximity to the town centre.
- 5.95. The references to the development brief have given rise to objection that the policy seeks to pre-judge the outcome of work that is ongoing in the preparation of the brief. I agree to an extent, but the fundamental difficulty is that the reference to the brief offends against the principle that policies should not try to secure the strict conformity of planning applications with details set out elsewhere, e.g. in development briefs. Therefore the corresponding policy wording, including criterion (ii) should be deleted and replaced by a reference in the reasoned justification to the intention to prepare a development brief and that this will be taken into account as a material consideration in the determination of any planning application for redevelopment of the site. It is not necessary for the reasoned justification to set out the details of the studies that will be undertaken in accordance with the development brief.
- 5.96. On a related matter, objectors seek more detail in the policy on the amount of residential and employment development that would be permitted. I agree that this would be desirable, and the Council intends to include this

information after the development brief for the site has been finalised. It appears likely that the dwelling capacity figure will be about 400 dwellings. Concerns about the availability of the proposed housing within the Plan period are noted, but I have concluded¹² that the discount proposed by the Council in EBC402 seems reasonable.

- 5.97. The site accommodated a number of private recreational facilities including playing fields, tennis courts, an outdoor swimming pool, and a large social club building. These have been closed by Pirelli and are no longer in use. Criterion (iii) of the policy requires additional provision off-site to compensate for any loss of existing community buildings and social and recreational facilities on the site, but an objector contends that the viability of the facilities must also be taken into account. I consider that this would be an unnecessary addition to the policy that could undermine the achievement of PPG17's objectives for the protection of recreational facilities. There is no reason why the existing wording should be incompatible with the achievement of reasonable, alternative provision in keeping with PPG17. The private nature of the existing provision is not in itself a justification for adopting a different test. Linked objections to the open space policies are considered in Chapter 9 of this report.
- 5.98. In line with other policies for the redevelopment of brownfield sites, the policy requires that 30% of the dwelling units on the site should be for affordable housing. The objections in this regard are considered under Policy 80.H above and accordingly, consequential modifications are required to this and other site-specific policies.

Recommendations

- 5.99. (i) Policy 88.H be modified by the deletion of lines 8 and 9 which refer to the development brief and, subject to the completion of the brief, by the addition to the policy of an indication of the approximate number of dwellings and area of employment floorspace that is expected to be provided;
- (ii) the reasoned justification be modified by the addition of a statement that a development brief is in preparation/has been prepared and that it will form a material consideration in the determination of any planning application for the redevelopment of the site;
- (iii) consequential modifications be made to criterion (iv) of the policy in accordance with my recommendations under Policy 80.H, and
- (iv) no other modification be made to the Plan in response to these objections.

¹² See under Policy 73.H above.

Policy 89.H: Causton Site, Brookwood Avenue, Eastleigh

Objections

See Appendix A for the list of objections on this matter

Inspector's Considerations and Conclusions

5.100. Since the publication of the draft Plan, planning permission has been granted for the redevelopment of this site and it is now nearing completion. In these circumstances I make no comment on the objections and recommend that the policy should be deleted from the Plan.

Recommendation

5.101. Policy 89.H be deleted and any consequential modifications required should be made to the Plan.

Policy 90.H: Botleigh Grange, Hedge End

Objections

See Appendix A for the list of objections on this matter

Inspector's Considerations and Conclusions

5.102. Since the publication of the draft Plan, planning permission has been granted for the redevelopment of this site and it has been implemented. In these circumstances I do not make any comment on the objections and recommend that the policy should be deleted from the Plan.

Recommendation

5.103. Policy 90.H be deleted and any consequential modifications required should be made to the Plan.

Policies 91.H and 92.H : Land off Ensign Way, Hamble-le-Rice

Objections

See Appendix A for the list of objections on this matter

Inspector's Considerations and Conclusions

5.104. Since the publication of the draft Plan, planning permission has been granted for redevelopment of these sites and the developments are underway. In these circumstances I do not make any comment on the objections and recommend that the policies should be deleted.

Recommendation

5.105. Policies 91.H and 92.H be deleted and any consequential modifications required should be made to the Plan.

Policy 93.H: Non-conforming Use Sites

Objections

See Appendix A for the list of objections on this matter

Main Issue

- *availability within the Plan period*

Inspector's Considerations and Conclusions

5.106. Policy 93.H lists 4 sites that, by the Council's own admission, are in lawful use that may continue indefinitely. In the case of Hendy Ford and Nuttall's Yard, the Council has accepted more recently in EBC402 that these sites should be discounted in their entirety from the supply calculations for the Plan period. I agree and consider that the Fentons premises should also be discounted because there is no reasonable expectation that they will come forward for development by 2011, even if the Commons Road lease is due to expire during the Plan period.

5.107. The Council seeks to be proactive in bringing forward these sites for redevelopment for housing purposes. I accept this, but it does not justify the inclusion of a site-specific policy where there is no reasonable expectation that it can be implemented. The identification of these sites in urban capacity studies and continued exploration of issues between the Council and the owners/potential developers are appropriate first steps in bringing these sites forward. In accordance with Policy 136.E the redevelopment of such sites for non-employment uses would be acceptable in principle, and this provides a clear steer to potential developers in any event. It may be appropriate to bring forward a specific policy in the next plan when the owners' intentions have become clearer and suitable alternative premises appear to be available. In the meantime however, I recommend that the policy should be deleted from the Plan.

5.108. The suggestion that land off Chalk Hill should be identified is noted, but for the same reasons I do not consider this to be appropriate. It has however been included in the urban capacity study (CD24).

Recommendation

5.109. Policy 93.H be deleted and any consequential modifications required should be made to the Plan.

Policy 94.H: Central Precinct, Chandler's Ford

Objections

See Appendix A for the list of objections on this matter

Main Issue

- *availability within the Plan period*

Inspector's Considerations and Conclusions

5.110. Policy 94.H proposes mixed residential and retail development on this site. The reasoned justification includes a statement that whether or not any redevelopment takes place here is a matter for existing tenants and landowners alike. This is unhelpful, since there appears to be no realistic prospect that this site will come forward without the use of compulsory purchase powers, and these are not envisaged. I note that EBC402 discounts in its entirety any contribution to the housing supply from this site during the Plan period. It is not appropriate to include such proposals in the Plan and I recommend that the policy be deleted.

Recommendation

5.111. Policy 94.H be deleted and any consequential modifications required should be made to the Plan.

Policy 97.H: Gypsy Sites

Objections

See Appendix A for the list of objections on this matter

Main Issue

- *policy approach*

Inspector's Considerations and Conclusions

5.112. Policy 97.H sets out the criteria that would guide the determination of applications for gypsy sites. The objection seeks a different approach, either by relying on the Countryside policies or alternatively, through the provision of gypsy sites by the Council. Regarding the former, I consider that this would be an unduly limited, inadequate response to the needs of travelling people, not in keeping with Circular 1/94, and it would not accord with Policy H12 of the HCSP. There is no reason why the policy as set out in the Plan would inhibit provision of sites by the Council, but there appear to be no specific proposals at this time that could be included in the Plan. Accordingly I do not recommend any modification in response to the objection.

Recommendation

5.113. No modification be made to the Plan in response to this objection.

Policy 98.H: Land off Scotland Close, Fair Oak

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *enlargement of allocation*
- *employment potential*
- *effect on nature conservation interests*
- *availability within the Plan period*

Inspector's Considerations and Conclusions

- 5.114. Policy 98.H carries forward an allocation in the EBLP for residential, educational, institutional or recreational development on a landfill site to the south of Scotland Close, Fair Oak. Only the lower part of the site is indicated for potential development on the Proposals Map. There are a number of technical and viability issues that would need to be satisfactorily resolved to bring forward the development of the site, but on the basis of current information I do not agree that any of these would justify an enlargement of the area indicated for development on the Proposals Map.
- 5.115. The lower part of the site would not be suitable for employment uses because of its proximity to residential properties. Employment development on the upper part, not indicated for development on the Proposals Map, would be likely to be visually obtrusive. Therefore I do not consider that the list of potential uses should be enlarged to include employment.
- 5.116. In my view the nature conservation implications of any development scheme, in particular the proximity of a Site of Importance for Nature Conservation, could be addressed by the policies in Chapter 2 of the Plan. In the interests of conciseness, there is no need for a specific reference to these matters in Policy 98.H.
- 5.117. Objections have been raised that the site is most unlikely to come forward for residential development in the Plan period. There are grounds for these concerns and the Council has not included any yield from this site in its housing supply calculations. Nonetheless, the policy deals with a number of potential alternative uses for the site, and on the basis that one or other of these could reasonably come forward within the Plan period, I consider that there is sufficient justification to maintain the policy in the Plan.

Recommendation

- 5.118. No modification be made to the Plan in response to these objections.

HEXC: Omissions from the Housing Chapter

Objections

See Appendix A for the list of objections on this matter¹³

Preamble

- 5.119. Objections to the omission from the Plan of content that is not site-specific is dealt with under the most relevant policy heading e.g. overall housing provision, affordable housing etc. Inevitably, there is considerable overlap between objections under HEXC and Policy 1.CO where these propose the identification of specific sites for housing and their incorporation into the urban edge. In the interests of a more concise report the linked objections are taken into account below. Sites are considered in alphabetical order of the address. The contents page of the report also lists the sites in the order in which they are considered.
- 5.120. CD12, entitled a 'Working Assessment of Greenfield Housing Sites in Eastleigh Borough' has been prepared by the Council's Planning Policy and Design staff and is intended to assist in the comparative appraisal of the housing omission sites and the allocated greenfield sites. To avoid repetition, I set out here some general comments on the concerns raised by objectors about the methodology of CD12. I also provide a context for those cases which I have recommended are worthy of more investigation as potential reserve housing sites.
- 5.121. As CD12 acknowledges, its methodology is not fully comprehensive or definitive. It is particularly unfortunate that it does not take greater account of facilities in the adjoining districts. Inevitably, it relies to some extent on subjective judgements e.g. about countryside setting and urban form, but in my view this does not invalidate the methodology. In general, I find that its attempt at a consistent basis for comparison is helpful. But in drawing my own conclusions on the merits of the sites before the Inquiry, I have been guided principally by the criteria set out in paragraph 31 of PPG3.
- 5.122. The context for the following appraisal of the omission sites is that there is a clear need to look to greenfield sites for the reserve housing requirement set by Policy H4 of the HCSP. Also, a balancing exercise is necessary to enable the identification of reserve sites on the scale that is required and therefore some trade-off between sustainability, landscape protection and other objectives is necessary, as set out in the report. Reserve housing sites will inevitably be less suitable than those that are first preference choices for baseline housing provision. Nonetheless, in defining the limits of suitability for the reserve provision, I have

¹³ The objection seeking a Special Policy Area designation on land at Wide Lane, Eastleigh appears to have been overtaken by events, principally by Policy 83.H in the Second Deposit Draft (see above) and the evolution of policy proposals for the Northern Business Park and the airport (see Chapter 7). I make no further reference to it here.

concluded that there are insufficient sites before the Inquiry to make satisfactory provision for the full reserve figure set by Policy H4 of the HCSP. I deal with this matter in more detail under Policy 73.H above. I am certain that the Council will wish to evaluate all potential sites, and not simply those canvassed at the Inquiry, for their suitability as reserve provision, and therefore my recommendations are framed in this light.

Allbrook Hill, Allbrook

Main Issues

- *landscape impact*
- *accessibility to facilities*

Inspector's Considerations and Conclusions

- 5.123. I deal here with objections to the housing policies of the Plan so far as they refer to a site of about 6.98ha at Allbrook Hill. It is a predominantly greenfield site with frontages to the south onto Allbrook Hill and to the west onto Pitmore Road. Its eastern boundary is formed by the Winchester to Eastleigh rail line. Allbrook Farmhouse, a Grade II listed building that was the home of Mary Beale, a prominent 17th century artist, is within the southern corner of the site. It is proposed to develop about 2.16ha of the land, providing some 80 dwellings, and to restore the farmhouse and provide public open space on the remainder of the site. Off-street parking for the benefit of Pitmore Road would also be provided.
- 5.124. I have concluded elsewhere that there is a need to identify additional land for housing, to provide for reserve sites in accordance with the HCSP's requirement. On this basis it is appropriate to look to the potential for this site to contribute to the identified need.
- 5.125. This land was the subject of consideration at the Inquiry into objections to the EBLP. The Inspector concluded that it should not be developed for housing as proposed, because the visual impact was likely to outweigh any other benefits of the development. I find no reason to differ from his judgement (CD63, page 10) that the visual impact of development even on the lower part of the site as proposed would be unacceptable. It would be obtrusive when seen from Pitmore Road and the rail line and would detract significantly from the rural setting of Allbrook. The landscaping and layout details indicated would not be sufficient to overcome this detrimental effect.
- 5.126. The need to provide for additional housing sites in sustainable locations would not outweigh the harm to visual amenity that would be caused in this case. I do not consider that this site has merit in the terms set out in paragraph 31 of PPG3. Allbrook is a very small, peripherally-located settlement with almost no community facilities, and this site is located on its edge. New development here would be unlikely to encourage walking or cycling as a mode of travel to such important destinations as primary schools or convenience shops due to distance from them, the local topography and the barrier effects presented by the M3 motorway and Allbrook Way. While this location is relatively close to Eastleigh town centre, its accessibility by public transport to this or other key destinations is not so great as to outweigh its other disadvantages. It is

likely that future occupiers of this site would be dependent on use of the car for access to everyday needs.

- 5.127. I have taken into account the proposed benefits that could be associated with a residential development of this site, but there is insufficient reason to conclude that these could not be delivered by other means. Overall, I do not consider that this site merits further investigation as a potential reserve housing site.

Recommendation

- 5.128. No modification be made to the Plan in response to these objections.

Twyford Road, Allbrook

Main Issue

- *suitability for housing*

Inspector's Considerations and Conclusions

About 0.8ha of open land on the eastern side of Twyford Road is proposed as a housing site and for enhanced recreational facilities. This site is wooded and slopes steeply towards the canal at the rear of the site. No details are provided about what is proposed, but in my view this land would not merit further investigation as a reserve housing site, even though there is a need to identify more housing land in the Plan. The site has a rural appearance and forms part of the countryside setting for the nearby settlements. Residential development on any significant scale would be likely to be visually obtrusive, especially from the canal side and the valley of the River Itchen. It is also far from clear that a satisfactory form of development could be achieved, given the ground contours, extent of tree cover and the location of overhead power lines.

Recommendation

5.129. No modification be made to the Plan in response to these objections.

Allington MDA

Main Issues

- *conformity with the HCSP*
- *sustainability*
- *effect on the countryside*
- *delivery*
- *sub-regional and post-2011 needs*

Inspector's Considerations and Conclusions

5.130. I consider here all of the objections that seek the allocation of a Major Development Area (MDA) in Allington, to the west of Horton Heath and south of Bishopstoke and Fair Oak.¹⁴ These refer generally to a proposal for a comprehensive development of about 5000 dwellings, with new employment areas, schools and other community facilities, major new infrastructure provision and public open space. Most of the site is farmland, interspersed with sporadic housing and also a number of commercial uses, including Chalcroft Distribution Park. Allington Lane runs north-east to south-west through the site while the Eastleigh-Fareham rail line crosses it from north-west to south-east. The River Itchen and part of the valley floor immediately adjoining the west of the site is a designated SSSI and a candidate Special Area of Conservation (cSAC).

5.131. A consortium of major housebuilders have been working collaboratively for some years to bring forward the scheme. While not identical in detail, this proposal reflects one in the unpublished Executive Draft of the First Deposit Plan (UFDD) (CD78), approved by the Council in December 2000 but which was not taken forward in the published First Deposit Draft (2002) (CD2).

Conformity with the HCSP

5.132. In respect of the Plan's overall housing provision I have concluded¹⁵ that there is a need to identify additional land, in order to ensure that sufficient reserve sites are available in accordance with the HCSP's requirement; but in the light of my overall conclusions on the housing provisions of the Plan, there is no need to look for new baseline sites, unless some of the omission sites proposed by objectors ought to be preferred. It is against this background that the potential of the Allington MDA to contribute to the identified need is examined.

¹⁴ The objection by JR Properties that land off Allington Lane should be included in the area of search for an MDA, the objection that land at Willow Barn, Allington Lane should be developed either as part of an MDA or independently, and objections that changes should be made to the countryside and local gap policies, linked to an MDA scheme, are also taken into account here.

¹⁵ See under Policy 73.H: Overall Housing Strategy and Provision

However, as set out earlier¹⁶, the County Council's certificate of non-conformity is not expressed in terms of the failure to provide for an MDA, and I follow the County Council's approach on this matter.

Sustainability of the MDA

- 5.133. The objectors contend that an MDA is required to achieve the broader strategic objectives of the HCSP and to create a properly planned mixed use community; it is said that the alternative option of smaller, piecemeal greenfield options (dispersal) could not achieve these broader objectives or provide comprehensive and integrated solutions to a wider range of transport, employment and infrastructure needs identified in the HCSP. However, I do not find good enough grounds to agree. I accept that a full, comparative sustainability assessment of an MDA strategy compared with one of dispersal has not been undertaken. I also note the view expressed in the UFDD about the comparative advantages of an MDA strategy in this regard, and I am mindful of the detailed preparatory work that already supports this MDA proposal. But, I do not accept that the MDA should be substituted for the brownfield capacity that is now clearly available in the Borough to help in meeting the baseline requirement. And in regard to the greenfield sites that are identified in the Plan, these alone may not lever significant new investment in public transport or other sustainable transport facilities, but they are relatively small urban extensions that can be integrated readily into the urban areas, would contribute to the critical mass for improvements in services generally, can be delivered within the Plan period, and are generally sustainable in my view.
- 5.134. The comparative sustainability of an MDA with the much smaller sites that I consider elsewhere as potential reserve sites is also not readily appraised, given the limitations of CD12 as expressed variously by the Council and objectors. Nonetheless, from my assessment of the evidence about the sustainability of the other omission sites put before this Inquiry, I have concluded that a number of them can be recommended as potential reserve sites, having regard to PPG3's criteria. They are capable of satisfactory integration into the adjoining urban area, and some in particular are on a scale that could generate significant improvements in public transport, cycle and pedestrian facilities for the benefit of the wider area.
- 5.135. In principle, the Allington MDA would offer potential for greater co-ordination in the provision of necessary infrastructure, thereby suggesting increased sustainability potential, but it would also demand very significant new infrastructure that may not otherwise be required. It would also need a minimum scale of development if it is to secure the infrastructure to help it function as a sustainable, properly integrated urban extension. The MDA would be dependent on the construction of a road link across the Itchen Valley, to connect with the proposed Chickenhall Lane Link Road (CLLR). Both of these links are identified in Policy T16 of the HCSP. However, I have found no evidence that the

¹⁶ *ibid.*

Itchen Valley crossing is necessary to achieve wider strategic objectives that are independent of the MDA, and it would entail a significant built intrusion into an environmentally sensitive area. The preliminary Environmental Statement on the road link that has been commissioned by the objectors indicates that there should not be unacceptable impacts on the cSAC from the preferred route, although the visual impact on the countryside would be greater than a route closer to the existing railway viaduct. English Nature and the Environment Agency have some outstanding concerns, although I consider that these are matters that can only be resolved in the context of a detailed design for the crossing and are not reasons to dismiss the scheme in principle.

- 5.136. I agree that development of the Itchen Valley link as an express bus route, and with cycleway provision, could have significant benefits for a wider area, by relieving traffic congestion on the B3037 Bishopstoke Road and providing opportunities for improved bus links with Eastleigh and Southampton. Improved access to Chalcroft Distribution Park would also be a beneficial effect of the road link. But the HCSP transportation strategy is based, amongst other matters, on the desire to look to existing transport corridors and networks as a basis to guide development patterns. And RPG9 refers only to one specific link (Southampton-Portsmouth) in regard to priority improvements to public transport in South Hampshire, while not identifying any priorities in this area for improvements to the strategic road network. Taking all of these matters into account, I consider that the strategic case for an Itchen Valley link, independent of the development of the MDA, is not made, and in view of the uncertainties about its environmental impact I do not lend it any weight as a factor in favour of the Allington MDA.
- 5.137. The evidence available does not permit detailed comparisons to be drawn between the cumulative traffic impact of the Plan's housing sites or the reserve sites and the MDA, but even in the absence of this information I do not consider that there are sufficient grounds to favour the MDA solution. The Highways Agency would require a full transport assessment of the impact of the MDA on the motorway network before drawing any conclusions on this matter, while the highway authority has questioned some of the fundamental assumptions on which the existing transport assessment work for the MDA has been based.
- 5.138. The capacity of educational, medical and other community facilities to accommodate new development varies from one part of the Borough to another, but in general it would not appear that there are significant issues in this regard that would favour an MDA solution over a dispersed approach. And as I have concluded in respect of overall employment matters, the Plan makes sufficient provision for employment needs in a sustainable manner without an MDA.

Effect on the Countryside

- 5.139. The proposed scheme allows for local gaps to be preserved between the MDA and the existing settlements of Bishopstoke, Fair Oak, Horton Heath and Hedge End by means of a large 'green zone' around the developed

area. It would also permit the extension of the Itchen Valley Country Park. There would be relatively little impact on the areas identified by the Blandford Associates 'Landscape Assessment of Eastleigh Borough' (CD66) as having distinctive landscape character. As recognised also in that report, the undulating and well-treed landscape to the south of Bishopstoke would limit the impact of new development on the settlements to the north and east. Nonetheless, the scale of land-take required by the MDA would be vast, extending to some 275ha of mostly undeveloped land. It would occupy a very large tract of one of the few remaining swathes of open countryside in the Borough. It is difficult to draw direct comparisons with the impact of smaller urban extensions, which may not offer opportunities for significant compensatory schemes, but it is clear from the HCSP, PPG3 and all other relevant national and regional guidance that greenfield land is a scarce resource to be conserved. The MDA at Allington would require significantly more land than the potential reserve sites that I have recommended elsewhere in this chapter, and on this basis alone it compares very unfavourably with a dispersal strategy.

Delivery

- 5.140. The CLLR is expected to be completed by 2009, and therefore the earliest that new housing could be served by any Itchen Valley link would be towards the end of the Plan period. The developers have therefore considered an alternative phasing that would bring forward the first phase adjoining Burnetts Lane, in the south-eastern part of the site, with access via a new road link to be provided from Burnetts Lane to Bubb Lane. Detailed studies have already been carried out on the wide range of transport, drainage, ecological and other matters that need to be addressed. On this basis there is reasonable confidence that about 1200 dwellings could be delivered by the end of the Plan period.
- 5.141. The ability to deliver only part of the MDA within the Plan period is not an inherent failing. It is consistent with PPG12 to identify strategic sites whose completion may not occur until sometime in the next plan period. However, I have concluded that the Plan will make satisfactory provision for the Borough's baseline housing requirement without an MDA. Even though the MDA is clearly much more than a housing proposal, none of the other factors referred to above lead me to conclude that the MDA should be substituted for other elements of the baseline provision. The MDA would therefore fall to be considered as a reserve site, but this is incompatible with the essence of an MDA which requires considerable forward investment and long lead times in delivery. While this delayed delivery cannot be the fault of the MDA promoters, it is nonetheless a factor that needs to be taken into account in assessing the most sustainable way of meeting needs for the Plan period and beyond.

Sub-Regional Need and Need in the post-2011 period

- 5.142. In the light of the above, I consider that any justification for including the Allington MDA in the Plan would have to arise from sub-regional need and need in the post-2011 period. But as set out above under the

general housing strategy, there is good reason to doubt that an MDA is required to meet the needs of South-West Hampshire in this Plan period, and my conclusion is consistent with the absence of a non-conformity objection from Hampshire County Council on this matter. So far as post-2011 needs are concerned, HCSP acknowledges that the MDAs may have the potential for development post-2011, but I can find no evidence that this was a specific purpose of their identification. This proposal would provide an excess of some 3200 dwellings over the residual requirement (baseline and reserve) of the HCSP. This is a huge excess, and since the original MDA allocation in the HCSP was not purely for Eastleigh's needs, neither should such an excess be allocated to Eastleigh at this stage.

- 5.143. I agree with the Council that the most sustainable means of providing for sub-regional needs in the longer-term, beyond 2011, should be decided at the strategic level through the regional and sub-regional framework. This would not necessarily assist in meeting the objection that the Plan should make provision for at least 10 years' potential supply of housing from the date of adoption. Nonetheless, for the reasons set out above¹⁷, I consider that this Plan, subject to my recommended modifications, would provide adequately for continuity of housing supply to the end of the Plan period and beyond.

Other Matters

- 5.144. RPG9 identifies the need for urban renaissance and mixed communities in the suburban parts of the Priority Area for Economic Regeneration, including the provision of affordable housing in locations that are easily accessible to the new employment areas. However I do not consider that this lends any particular support to the Allington MDA, since these objectives may be achieved in a more sustainable manner by other proposals in the Plan and, no doubt, will be addressed in future LDFs.
- 5.145. The evolution of the detailed proposals for the Allington MDA has been rooted in public consultation and endorsement as the best of the available MDA options, although the principle of an MDA was opposed. But the need to undertake public consultation on the potential reserve sites that I have identified in this report does not make them inherently less suitable than the Allington MDA.
- 5.146. This proposal would allow improved access to Chalcroft Distribution Park, by creating a new direct access from Bubb Lane. It may not be viable to do so without the MDA, therefore frustrating the optimum use of this site for employment purposes. Nonetheless I do not consider that this or any of the other matters raised, including support for Eastleigh town centre or for a potential new rail station at Allington, outweigh the determining factors above.

¹⁷ See under Policy 73.H: Overall Housing Strategy and Provision.

Overall Conclusion

- 5.147. In balancing the case for this MDA against the alternatives, I conclude that the MDA should not be preferred. It would entail an unnecessary release of a very large area of greenfield land in one of the last remaining tracts of open countryside in the Borough, and it suffers from dependency on significant new road infrastructure that would be a major built incursion into an environmentally sensitive area. There is no evidence that this road link would meet broader strategic objectives and the package of transportation improvements that are based upon it would not overcome the fundamental disadvantages of the proposal.
- 5.148. In my view the MDA would not assist the achievement of the strategic objectives of the HCSP, whereas the release of smaller-scale greenfield sites that can be readily integrated with existing urban areas offers a more sustainable solution that can respond flexibly to changing needs. There are undoubtedly important questions that will need to be addressed at the appropriate level about the capacity of the Borough's existing infrastructure to accommodate a significantly increased scale of development. But I do not consider that any of the concerns raised by the objectors should lead to the allocation of this MDA in preference to the Plan's strategy, as modified in accordance with my recommendations.

Recommendation

- 5.149. No modification be made to the Plan in response to these objections.

Maddoxford Lane, Boorley Green

Main Issues

- *sustainability of the location*
- *impact on the landscape*

Inspector's Considerations and Conclusions

- 5.150. The objection site consists of two paddocks on the northern side of Maddoxford Lane, on the eastern edge of Boorley Green. The site extends to about 2.9ha but only part of the western paddock of about 0.9ha is proposed for housing development, with the remainder of the site to be given over to public open space. The objector proposes that the site could accommodate about 32 dwellings.
- 5.151. I have concluded elsewhere that there is a need to identify additional land for housing, in order to ensure that sufficient reserve sites are available in accordance with the HCSP's requirement. On this basis it is appropriate to look to the potential for this site to contribute to the identified need.
- 5.152. Boorley Green is a small 'dormitory' settlement that lies between Horton Heath and Botley. Apart from a public house on the western side of Botley Road it has no community facilities. The nearest primary school and convenience shop are in Botley, about 1.8kms away. In my view the lack of safe, convenient walking or cycling routes to Botley, together with the distance entailed and the relative infrequency of the bus services would result in future residents being almost completely reliant on the private car to gain access to such key local facilities. I accept that there are a wider range of employment, retail and other facilities within some 3kms of the site, and that rail stations at Hedge End and Botley provide access to a much wider area. However, for most short daily journeys where there is the greatest potential to reduce car usage, this location would be a particularly poor choice for new housing. Having regard to all of the advice in PPG3 on the sustainable location of new housing, I consider that this proposal has little merit.
- 5.153. Development on the site would entail an eastward extension of frontage development on Maddoxford Lane into open countryside. There is some in-depth development extending further eastwards on the opposite side of the lane, and this, together with the open space and landscaping proposals set out by the objector would help to soften the impact of the extension. Nonetheless, this area has an attractive rural appearance, especially when approached from the east, and even the limited scale of new development proposed would have a detrimental impact on the countryside setting of Boorley Green. While some loss of countryside is inevitable in order to meet housing requirements, I do not consider that there are any benefits in this case that would outweigh the negative

impacts. Overall, for both sustainability and countryside reasons, this site is not appropriate for further consideration as a reserve housing allocation.

Recommendation

5.154. No modification be made to the Plan in response to this objection.

Broad Oak, Botley

Main Issue

- *suitability for housing*

Inspector's Considerations and Conclusions

- 5.155. The objection concerns an area of open land extending to about 6.7ha to the south of Broad Oak Road. It lies between Hedge End and Botley and forms part of the designated local gap between these settlements. A mixed development comprising housing and other uses is proposed, with a potential capacity of about 200-235 dwellings.
- 5.156. As set out elsewhere in this report, there is a need to identify reserve housing sites in order to accord with the HCSP requirement. Nonetheless, I do not consider that this site merits further consideration in this regard because it would have an unacceptable impact on a very narrow belt of open countryside that separates Hedge End from Botley. There is some existing frontage development on Broad Oak, but the in-depth development proposed in this objection would lead to near coalescence of the two settlements, with detrimental effects on their character and on the rural appearance of this part of the Borough. Even though the site has some advantages in sustainability terms, being located on a bus route and within walking or cycling distance of facilities in Botley and Hedge End, I do not consider that these outweigh the disadvantages of a major incursion into the open land between these settlements. I deal with the merits of the Plan's allocation of land south of South Street, including its impact on the Strategic Gap, under Policy 83.H above.

Recommendation

- 5.157. No modification be made to the Plan in response to this objection.

Uplands Nursery and adjoining land, Botley

Main Issue

- *suitability for housing or other development*

Inspector's Considerations and Conclusions

- 5.158. I consider here separate objections in respect of two parcels of land located on Winchester Street, on the north-eastern edge of Botley. The sites comprise a redundant commercial nursery and a residence on an area of about 0.6ha, and an adjoining field to the south-east that is in separate ownership. The latter is proposed for housing, the former for housing or commercial purposes.
- 5.159. Most of these lands are within the designated local gap between Botley and Boorley Green and the remainder is designated as countryside. The Uplands Nursery site was considered for housing development at the EBLP Inquiry and I agree with the previous Inspector's conclusion that this would have an unacceptable impact on the appearance of the countryside. Even though there are some existing buildings on the land, the likely effect of redevelopment, whether for housing or commercial purposes, would be much more intensive and visually intrusive. The development of even the front part of the field to the south-east would also be unacceptable due its incursion into the narrow belt of countryside between Botley and Boorley Green. Housing on the western side of Winchester Street extends further to the north than the objection sites but this does not justify urban expansion onto them.
- 5.160. A primary school, church and local shops are within about 1km, but this is a limited range of facilities and new residents of these sites would be likely to travel to Hedge End or other destinations for most daily needs. Access to public transport is not particularly convenient and it is likely that future commercial or residential occupiers of the sites would generally depend on cars for daily journeys. There is no evidence that existing services in Botley might become unviable without further residential expansion of the settlement. Having regard to the advice in paragraph 31 of PPG3, I do not consider that either of the sites offers any significant advantages in terms of sustainability that might outweigh the countryside impact referred to above. Broader issues about the Plan's housing and employment strategies and the suitability of the allocated sites are taken into account elsewhere in this report¹⁸. Overall, I do not consider that either of the sites merits further consideration as potential reserve housing provision or for commercial purposes.

Recommendation

- 5.161. No modification be made to the Plan in response to these objections.

¹⁸ See above under Overall Housing Strategy and Provision, and Chapter 7; The Economy.

Bridge Road, Bursledon

Main Issues

- *landscape impact*
- *accessibility to facilities*

Inspector's Considerations and Conclusions

- 5.162. I deal here with objections to the countryside and housing policies of the Plan so far as they refer to a site of about 9.2ha to the north of Bridge Road and immediately to the south of the M27. Its northern section is elevated and lies within the designated strategic gap. The southern half is generally level and comprises open fields and an area of woodland. The settlement of Bursledon lies immediately to the south and west. Only the southern section is promoted for a development of 72-120 or more dwellings, depending on net densities, although in the longer term it is suggested that two other areas could be developed that are within the strategic gap, albeit in parts that would have low visual impact.
- 5.163. I have concluded elsewhere that there is a need to identify additional land for housing, to provide for reserve sites in accordance with the HCSP's requirement. On this basis it is appropriate to look to the potential for this site to contribute to the identified need.
- 5.164. This land was the subject of consideration at the Inquiry into objections to the EBLP. The Inspector recommended that the boundary of the strategic gap be altered to the alignment that it now follows, but did not consider that housing development on the remainder would be justified for the reasons set out on page 59 of his report (CD63). I find no reason to differ from his conclusion that the rural character of the surroundings would be harmed by development of this land, although the need to provide for additional housing sites in sustainable locations is a factor that could, in some circumstances outweigh harm to countryside character and appearance.
- 5.165. In this case, I do not consider that the site has sufficient merit in the terms set out in paragraph 31 of PPG3 to override its other disadvantages. It is separated by the A27 road from the nearest primary school and local shopping facilities at Lowford. While this severance effect is not in itself a major factor, combined with the distances to these facilities and the gradient of the routes I consider that it would be a significant disincentive to walking or cycling. I accept that nearby public transport services, both bus and rail, offer access to a much wider range of retail, employment and community facilities in other locations. But in my view these do not outweigh the relative inaccessibility of this site to important local facilities in Bursledon which is likely to discourage walking or cycling as an alternative to the use of the car for short journeys. I note the previous Inspector's comments in regard to the accessibility of this site, but PPG3 post-dates the EBLP Inquiry and in my view it merits a re-appraisal of the sustainability of this site in terms of

all non-car modes of transport. On balance, I do not consider that this site merits further investigation as a potential reserve housing site.

Recommendation

5.166. No modification be made to the Plan in response to these objections.

Church Lane, Bursledon

Main Issue

- *impact on the character and appearance of the area*

Inspector's Considerations and Conclusions

- 5.167. The objections refer to a site of about 1.26ha at Church Lane that lies within the Bursledon Conservation Area and is outside the defined urban edge. It also forms part of the Old Bursledon Special Policy Area.
- 5.168. I have concluded elsewhere that there is a need to identify additional land for housing, to provide for reserve sites in accordance with the HCSP's requirement. On this basis it is appropriate to look to the potential for this site to contribute to the identified need.
- 5.169. This well-wooded site lends a distinctive appearance to the surroundings and contributes significantly to the overall semi-rural character of Old Bursledon. Its undeveloped nature, albeit that it is bounded by housing to its north and east and Ploverfields to the north-west, is an important and visible feature of the area. Development on the scale indicated by the objector would be likely to harm these attributes to such an extent that the conservation area as a whole and the Special Policy Area would be affected detrimentally. Even though the need to provide for additional housing sites in sustainable locations is a factor that could in some circumstances outweigh harm to countryside and landscape objectives, I do not consider that the benefits would outweigh the harm in this case. Therefore, this site does not merit further investigation as a potential reserve housing site, and no modification should be made to the policy designations in this case.

Recommendation

- 5.170. No modification be made to the Plan in response to these objections.

Berry Farm, Hamble Lane, Bursledon

Main Issues

- *impact on the landscape and settlement form*
- *accessibility to facilities*
- *traffic and infrastructure implications*

Inspector's Considerations and Conclusions

- 5.171. The objection site extends to about 6.1ha and lies on the western side of Hamble Lane, to the south of the open space at Cunningham Gardens. It is occupied by a dwelling and some farm buildings and is partially in use for caravan storage but otherwise consists of open land. It is indicated that the site could accommodate 190-210 dwellings at densities of 35-40dph.
- 5.172. I have concluded elsewhere that there is a need to identify additional land for housing, in order to ensure that sufficient reserve sites are available in accordance with the HCSP's requirement. On this basis it is appropriate to look to the potential for this site to contribute to the identified need.
- 5.173. There are some trees and hedgerows around the site boundaries, particularly to the west, but in general this land has an open aspect, especially to the east and south. The open views of the site on the approach from Hamble are seen against the background of the development further north, and in time these views could be softened and screened by an appropriate landscaping screen on the southern edge of the site. The land on the eastern side of Hamble Lane is already built-up and therefore development of this site would not extend the settlement any further to the south. In terms of settlement form generally, the proposal would entail a modest extension to the south of Old Netley and it would maintain a reasonably compact urban form for Bursledon as a whole. At the EBLP Inquiry the Inspector concluded that this site did not form an essential part of the gap between settlements in this locality and I share his view. Overall, I consider that development of Berry Farm would have only moderate impacts on the countryside and settlement form and could be acceptable, subject to detailed design and landscaping proposals.
- 5.174. Turning to accessibility considerations, the Bursledon primary schools, Hamble Community College, and the Tesco hypermarket at Windhover all lie within about 1.5kms of the site. A local shopping parade is a few hundred metres away at Chamberlayne Road, and the Lowford local shopping centre is just over 1km away. There is a range of other community facilities available locally. While all of these facilities are to the east of Hamble Lane, I consider that the Council has given too much weight to the severance effect of this route. For the most part it is only

- a single carriageway road, subject to either 30mph or 40mph speed limits, and it has a number of safe crossing points. Crossing facilities could be improved in association with any development of this site. Hamble Lane also has good pedestrian and cycle facilities along most of its length.
- 5.175. The distance to the nearest primary schools is greater and more tortuous than is desirable to encourage walking or cycling as an alternative to the use of the car. There may however be potential for improved east-west pedestrian linkages in the area that would help to minimise this effect. But even if this is not the case, this disadvantage applies generally to the sites promoted for development on or near Hamble Lane and I do not consider that they should be discarded from consideration, given other accessibility advantages. There are frequent bus services which offer alternatives to car use, and Bursledon and Hamble stations, the latter within easy cycling distance, give access to a very wide range of employment, retail, education and other facilities in nearby major centres. There are also proposals to improve public transport facilities in the area. The Hamble peninsula itself has substantial employment opportunities that lie within cycling distance of this site. On balance, I consider that this site has some merit in PPG3 terms.
- 5.176. The Council has raised concerns about incremental traffic growth in this area, given its road access constraints, and the potential loss of opportunities for new development to contribute financially to lasting long-term solutions. It also raises 'prematurity' concerns in the sense that future strategies for significantly increased development likely to be required in South Hampshire remain to be determined, and that the role to be played by the Hamble peninsula in particular is uncertain. The possibility has also been raised that new road infrastructure that might be required could affect this site.
- 5.177. However, the emerging strategic planning framework will almost certainly require the preparation of new local development documents for the Borough at an early stage, and this will provide the context to review the housing position as well as other matters. There are important questions that will need to be addressed at the appropriate level about the capacity of the Borough's existing infrastructure to accommodate a significantly increased scale of development, but I do not consider that any of the concerns raised by the Council should lead to the rejection of relatively small, reserve sites that could play an important role in securing adequate housing provision for the Plan period. The Council would be able to seek financial contributions towards meeting the cost of any improvements necessitated by a development scheme. There are no other factors that suggest that Berry Farm should be discounted from consideration as a reserve housing site.

Recommendation

- 5.178. The land at Berry Farm, Hamble Lane, Bursledon should be included in the list of sites for detailed assessment with a view to identifying it as a reserve housing site in modifications to be brought forward to the Plan.

Hamble Lane (west of), Bursledon

Main Issues

- *impact on the strategic gap, landscape and settlement form*
- *accessibility to facilities*
- *provision for park and ride*
- *traffic effects and infrastructure provision*

Inspector's Considerations and Conclusions

- 5.179. The linked objections considered here refer to a site of about 26ha that is located on the south-west side of the junction of Bursledon Road with Hamble Lane at the Windhover roundabout. The southern part of the site is agricultural land while the northern section is used for car boot sales and as a temporary park and ride site for major sporting events. A Tesco hypermarket is located opposite the site on the eastern side of Hamble Lane. Existing housing at Old Netley adjoins the southern boundary of the site. To the south-west and west lies open land that together with the site itself forms part of the designated strategic gap between Southampton and Hedge End/Bursledon/Netley. The objections seek the allocation of the site for about 600 dwellings, community facilities, and a park and ride site with up to 850 spaces.
- 5.180. I have concluded elsewhere that there is a need to identify additional land for housing, in order to ensure that sufficient reserve sites are available in accordance with the HCSP's requirement. On this basis it is appropriate to look to the potential for this site to contribute to the identified need.
- 5.181. It is necessary in principle to consider land within designated local and strategic gaps in order to identify sufficient housing land. In this case, the gap between Southampton and Bursledon is relatively narrow at the Windhover roundabout. But subject to maintaining a line for any new development that does not further reduce that gap, I consider that the visible separation between the urban areas, as generally seen from Bursledon Road looking south-west across the lands, would be maintained. In my view this would also provide an acceptable physical separation, but it would require a reduction in the development area proposed by the objectors, to exclude a triangle extending from the north-eastern corner of the site. In this way the openness perceived from the public footpath that leads south-westwards through the site from the Windhover roundabout would be protected. Therefore, I commend the reduced site area for residential development as indicated on the plan attached to the letter dated 23 September 2004 from Mr Bowden to Mr Beck. On this basis the site could accommodate about 480 dwellings at densities in the range 30-50dph.
- 5.182. Even this reduced scale of development would entail significant change

in the landscape, but in my view this could be accepted, provided that an appropriately designed scheme with high quality planting treatment was secured. Development on the site would be set within the semi-urban context of the busy Windhover roundabout, with views of Southampton in the distance and the building mass of the Tesco hypermarket nearby. On its southern boundary it would adjoin the existing built-up area. The effect on urban form would be a rounding-off of Bursledon-Old Netley. The extent of new development along Hamble Lane would be significant, but a well-designed scheme could achieve satisfactory integration with its surroundings. The dedication of a substantial part of the site (about 9ha as proposed) to a country park, with a frontage to Bursledon Road, would be a particular benefit in securing the long-term protection of the gap between Bursledon and Southampton. Overall, I consider that the effects of such a housing scheme on the strategic gap and countryside and on the urban form of Bursledon would be acceptable.

- 5.183. With regard to the accessibility of this site, many of the considerations relating to Berry Farm (see above) apply also to this site, but the balance of advantages is greater in this case. Its accessibility to the extensive retail facilities in the hypermarket opposite the site is unrivalled, compared with other sites promoted at the Inquiry. Primary schools, local centre shops at Lowford, medical/dental and community facilities are available within about 1km. Also, some new community facilities could be provided on the site. The development could be expected to contribute to improved crossing facilities for pedestrians and cyclists on Hamble Lane and to the completion of a cycle path from Windhover to Hamble School and the rail station, both of which are within about 7-8 minutes cycling distance. Bursledon rail station is within similar cycling distance. Bus services on Hamble Lane or Bursledon Road provide regular services to Southampton city centre, Bitterne district centre, Eastleigh, Hedge End, Fareham, Portsmouth and other centres. The development would complement the proposals for further improvements to facilities for bus users on the Hamble Lane/Portsmouth Road Quality Partnership routes (Policy 102.T of the Plan refers); it could also assist the achievement of the Hamble Area Transport Strategy, and it is well placed to take advantage in the longer term of the rail improvements proposed in the South Hampshire Rapid Transit scheme.
- 5.184. Many of the facilities referred to above are to the east of Hamble Lane, but I consider that, in rejecting this site, the Council has given too much weight to the severance effect of this route. Even though the adjacent section of Hamble Lane is a dual carriageway, for the most part it is only a single carriageway road, subject to either 30mph or 40mph speed limits, and it has a number of safe crossing points. The infrastructure improvements referred to above would improve facilities for non-car users on this route and would contribute to traffic calming. There is little doubt in my mind that Hamble Lane is not a significant barrier to the integration of communities on the western side of the road and this development could assist integration in the manner set out above.
- 5.185. In summary, there is a good level of accessibility by non-car modes from

- this site to a wide range of facilities for day to day needs, and major sources of employment are located both on the Hamble peninsula, within 3kms of this site, and within reach by bus or train in Southampton, some 5kms away, or at Hedge End, about 3kms away. Overall, I consider that development here would accord with PPG3's objectives to secure new development in locations that are accessible by modes of transport other than the car.
- 5.186. The proposal for park and ride facilities on this site accords with the findings of the study carried out on behalf of Hampshire County Council and Southampton City Council by Peter Brett Associates (CD84) on strategic park and ride opportunities for the Southampton area. This recommended that the site be safeguarded for park and ride purposes. The study has been merged with the local transport plans to become part of the area's overall transportation objectives. The Council has not allocated any park and ride sites in the Plan and instead seeks to rely on Policy 103.T, a criteria-based approach to the determination of any planning applications. The matter is the subject of a non-conformity objection by the County Council, considered elsewhere in this report.¹⁹ As I conclude there, Policy 103.T should be modified to safeguard the site at Windhover for park and ride purposes and the reasoned justification should acknowledge the strategic context for the park and ride proposals in the Plan.
- 5.187. So far as this case is concerned, it appears to me that the two broad elements of the proposal – residential and park and ride – are not inextricably linked. While there could be significant benefits for the local area from a transportation point of view if both elements were to be brought forward as a package, there are a number of detailed issues relating to the wider transportation context that need to be resolved first. Nonetheless, there is sufficient information before the Inquiry to recommend that the site should be safeguarded for that purpose, and detailed consideration of the site as a reserve one to meet housing needs within the Plan period should take account of the potential relationship with a bus-based park and ride facility on the larger site.
- 5.188. It is essential that any detailed scheme should provide an integrated design solution for the housing, countryside park and potential park and ride elements. In this regard, the implications of the modified boundary line for the residential allocation, referred to above, for access and circulation arrangements for the park and ride site were raised at the Inquiry but have not been examined in detail. I agree that it would be desirable from a landscape point of view to locate the park and ride site as close to the north-eastern corner as possible. But any consequences for the location of the access to the park and ride site from Bursledon Road and for the creation of a convenient circulation system between the park and ride and the housing area would also need to be factored into account.
- 5.189. The Council has raised concerns about incremental traffic growth in this

¹⁹ See Chapter 6, Transport, under Policy 103.T.

area, given its road access constraints, and the potential loss of opportunities for new development to contribute financially to lasting long-term solutions. The cumulative effect of possible future expansion of the hypermarket in a manner that could be outside planning control is also a factor that needs to be taken into account. Another concern is that future strategies for the significant increase in development likely to be required in South Hampshire remain to be determined, and there is uncertainty about the role to be played by the Hamble peninsula in particular.

- 5.190. However, I note that the transport assessment (TA) already carried out for the objection proposal has the net betterment of the transport operation of the Hamble area with development in place as its aim. Subject to the detailed evaluation of the TA demonstrating that this can be achieved, it would be difficult to support an objection to the proposal from a transportation viewpoint. The longer-term uncertainties are noted, but the emerging strategic planning framework is very likely to require the preparation of new local development documents for the Borough at an early stage, and this will provide the context to review the housing position as well as other matters. There are important questions that will need to be addressed at the appropriate level about the capacity of the Borough's existing infrastructure to accommodate a significantly increased scale of development, but I do not consider that any of the concerns raised by the Council should lead to the rejection of a reserve site that could play an important role in securing adequate housing provision for the Plan period. None of the other issues raised in the Council's clarification statement, including possible ground contamination, suggest that the site would not be capable of delivery by 2011 if needed. Accordingly, the land west of Hamble Lane should be included for further consideration as a reserve housing site on the basis set out above.

Recommendations

- 5.191. (i) The land west of Hamble Lane, Bursledon as described above should be included in the list of sites for detailed assessment with a view to identifying it as a reserve housing site in modifications to be brought forward to the Plan;
- (ii) the detailed assessment should take account of the potential relationship with a bus-based park and ride facility on the larger site, in the light of my recommendation elsewhere that land at this location should be safeguarded for such a facility, and
- (iii) any detailed scheme for development of the site should provide an integrated design solution for the housing, countryside park and potential park and ride elements.

Long Lane, Bursledon

Main Issue

- *impact on the character and appearance of the area*

Inspector's Considerations and Conclusions

- 5.192. The objections refer to a site opposite the Bursledon Infant and Junior Schools on Long Lane. It lies within the Bursledon Conservation Area and is outside the defined urban edge. It also forms part of the Old Bursledon Special Policy Area.
- 5.193. I have concluded elsewhere that there is a need to identify additional land for housing, to provide for reserve sites in accordance with the HCSP's requirement. On this basis it is appropriate to look to the potential for this site to contribute to the identified need.
- 5.194. This site has a rural appearance and contributes significantly to the overall semi-rural character of Old Bursledon. Its undeveloped nature, albeit that it is opposite schools and bounded by low-density development to the north and north-east, is an important and visible feature of the area. Development of the site would harm these attributes to such an extent that the conservation area as a whole and the Special Policy Area would be affected detrimentally. Even though the need to provide for additional housing sites in sustainable locations is a factor that could, in some circumstances outweigh harm to countryside and landscape objectives, I do not consider that the benefits would outweigh the harm in this case. Nor would the potential for additional affordable housing in this part of the Borough, or for enhancement and extension of the public open space to the south override the above factors. Therefore, I do not consider that this site merits further investigation as a potential reserve housing site.

Recommendation

- 5.195. No modification be made to the Plan in response to these objections.

Mallards Road, Bursledon

Main Issues

- *impact on the landscape and settlement form*
- *accessibility to facilities*

Inspector's Considerations and Conclusions

- 5.196. The objections refer to a site of some 3ha of grazing land on the southern edge of Bursledon. It has frontages to Hamble Lane (B3397) and to Mallards Road and is generally bounded by post and rail fencing with some hedgerows and trees on the perimeter. Existing dwellings on Mallards Road face towards the site. The ground level drops to the east towards Pilands Wood, a Site of Importance for Nature Conservation that borders the eastern edge of the objection site.
- 5.197. I have concluded elsewhere that there is a need to identify additional land for housing, to provide for reserve sites in accordance with the HCSP's requirement. On this basis it is appropriate to look to the potential for this site to contribute to the identified need.
- 5.198. This land is within the designated local gap between Bursledon, Hamble and Netley Abbey. While the Inspector at the EBLP Inquiry concluded that any coalescence between these settlements would be undesirable, I consider that the need to provide for additional housing sites in sustainable locations merits re-appraisal of the importance of particular areas within the gap. At this point the gap between Bursledon and Hamble is reasonably large, and even though openness of the landscape between the two leads to some intervisibility, the effect of a small, well-contained development on the site would not be very significant. There is a narrower gap to the edge of Netley Abbey, but in this case any visual coalescence effect would be minimised by intervening woodland and some variations in topography. Views into the site from the east would be generally contained by Pilands Wood. Subject to a high quality landscaping plan for the site that would provide a new, softer edge to the settlement than currently exists, and to protection of the SINC from any adverse effect, I consider that this land could be acceptable in countryside and settlement form terms as a reserve site.
- 5.199. With regard to the sustainability of this location, the nearest primary school and local shopping facilities are at School Road, Bursledon and at Lowford respectively, less than 1km away. These could be reached by footways and pedestrian routes. The route to School Road is rather tortuous and varies in its gradient but it may be capable of improvement so that it could offer a convenient alternative to using the car. A shared pedestrian and cycle route to Hamble School provides easy access to secondary school education. Hamble rail station is also within a relatively easy walk or cycle ride of the site. The hypermarket at Windhover is only about 1.5kms away. While none of these distances

make the site highly accessible, for the reasons set out above in respect of Berry Farm I consider that it is necessary to balance these relative disadvantages with other accessibility factors. There is a good range of employment and other facilities available within the Hamble peninsula that are accessible by cycle or bus, and bus and rail services offer connections from here to major centres. Balancing all of these factors, I consider that this site has some merit in PPG3 terms.

- 5.200. I have also taken into account the Council's concerns about incremental expansion in the Hamble peninsula as set out above under Berry Farm. But for the reasons given there I conclude that these concerns do not justify dismissing the potential of this site. It is worthy of detailed investigation as a potential reserve housing site. At a density of about 40dph it might accommodate about 80 dwellings. Any modifications to the urban edge and local gap boundaries would be consequent upon the outcome of these investigations but are not recommended in isolation.

Recommendation

- 5.201. The land to the south of Mallards Road, Bursledon should be included in the list of sites for detailed assessment with a view to identifying it as a reserve housing site in modifications to be brought forward to the Plan.

Crowdhill, Fair Oak

Main Issues

- *definition of the urban edge of Fair Oak*
- *suitability of a housing or business allocation at Pear Tree Farm*

Inspector's Considerations and Conclusions

- 5.202. For the sake of convenience I deal here with the objections in respect of the ribbon of development at Crowdhill on the eastern side of Winchester Road, and also concerning Pear Tree Farm, Crowdhill. The First Deposit Draft Proposals Map identified the ribbon of housing at Crowdhill as lying within the urban edge of Fair Oak. The Second Deposit Draft shows the urban edge boundary re-drawn to exclude this area. The objections seek a reversal of this change so that some limited potential for additional housing development could be released.
- 5.203. In my view this location is correctly excluded from the urban edge of Fair Oak. It is remote from the services and facilities of the village and forms an isolated outlier of development on the eastern side of Winchester Road which has a predominantly open character. In this respect it is different from the ribbon on the western side of Botley Road at the southern end of Horton Heath. The potential for intensified development in this frontage of over 300m would be of some significance and in my view its encouragement would not be in keeping with the overall national policy objective to promote more sustainable patterns of development. Despite the permitted development rights that may be available, significant new residential infilling or redevelopment of these plots would also be likely to harm the predominantly rural character of this side of Winchester Road.
- 5.204. The objection in respect of Pear Tree Farm seeks its identification as a site suitable for residential or commercial development. This land lies further to the north of the ribbon of housing referred to above and is on the western side of Winchester Road. It extends to about 3.2ha and comprises a bungalow, outbuilding and an area of disused, open land. At the EBLP Inquiry the Inspector concluded that the site should remain in the countryside. I find no good reason to differ from him. A modified development scheme for the site would not overcome its poor accessibility to key facilities except by means of the private car. Its development for residential or commercial purposes would also lead to a significant urban intrusion into the predominantly rural surroundings. None of the changes in national or local policies since the EBLP Inquiry give any encouragement to development on relatively unsustainable sites such as Pear Tree Farm.

Recommendation

- 5.205. No modification be made to the Plan in response to these objections.

Fair Oak Lodge/Quobleigh Pond and St Swithun Wells Church, Fair Oak

Main Issues

- *landscape impact*
- *sustainability of the location*

Inspector's Considerations and Conclusions

- 5.206. I consider here the objections pursued separately in respect of two sites at Fair Oak Lodge/Quobleigh Pond and at St Swithun Wells Church. The objectors and the Council are in agreement that there are merits in considering the sites together. The first named site has an area of about 18ha while the St Swithun Wells Church site extends to about 2.26ha.
- 5.207. These lands are located to the south of the Bishopstoke to Fair Oak Road, immediately to the south of an existing residential area at Dean Road. They have a frontage onto Allington Lane which forms a junction with Fair Oak Road some 150m to the north of the nearest part of the site. The eastern part of the lands includes designated Sites of Importance for Nature Conservation (SINC) at Quobleigh Pond and Woods and the pond and meadow adjacent to Wyvern School.
- 5.208. There are a number of existing uses on the overall site, including the existing church and its car park, a school (The King's School) and a large property, Rockford House, that has been converted into apartments. For the most part however the combined site consists of greenfield land. It has not yet been decided whether redevelopment proposals for the church site would provide for a church building within the site or would entail its relocation elsewhere.
- 5.209. The developers intend to dedicate a large area of the site, including Quobleigh Pond and Woods, to public ownership. The southern boundary would be heavily planted to secure a countryside edge to any development of the land. The Fair Oak Lodge/Quobleigh Pond site is estimated as having potential for about 230 dwellings at an average net residential density of 40dph; this excludes the King's School and Rockford House sections of the site and the large open space proposed in the eastern part of the site. The St Swithun Wells Church site could provide up to 70 dwellings approximately, depending on the proposals for the church. Therefore it appears that the combined sites could accommodate up to 300 dwellings.
- 5.210. I have concluded elsewhere that there is a need to identify additional land for housing, in order to ensure that sufficient reserve sites are available in accordance with the HCSP's requirement. On this basis it is appropriate to look to the potential for these combined sites to contribute to the identified need.

- 5.211. Turning to the effect on the local landscape, the combined site is in an area that has been identified in the Landscape Assessment of Eastleigh Borough (CD66) as having a strong landscape character that would not be appropriate for housing development in any quantity without substantial loss of its existing character. On the other hand, as CD66 makes clear, the strong landscape structure makes the area capable of absorbing well-sited, low-density, high quality housing in carefully selected localities.
- 5.212. I agree with the assessment in CD12 that the 'countryside impact' of development on these particular lands would be moderate, given the proposals to exclude development of certain areas and provide for open space and nature conservation around Quobleigh Pond and woods. These are benefits that would positively improve access to the countryside and would help to secure the objectives for nature conservation set out in Chapter 2 of the Plan. The actual net density that could be achieved may be less than 40dph if landscape objectives are to be achieved and therefore a cautious estimate of total site capacity of about 230 dwellings seems appropriate. On balance, I consider that the moderate countryside impact that would be entailed by development of the sites could be acceptable if the reserve provision is required.
- 5.213. In the light of the outline proposals submitted by the objectors to the Inquiry, I consider that the site has moderately good accessibility potential. Any detailed development scheme for the lands should be able to provide for improvements to pedestrian connectivity, public transport services and access to them, improved facilities for cycling, and highway safety improvements on Allington Lane. While these might not resolve the highway authority's concern about an overall increase in vehicular traffic generation, I consider that this needs to be balanced against other sustainability considerations.
- 5.214. Fair Oak in general offers a range of services for everyday needs, although it does not include a large supermarket or any major employment areas. But given the need to identify reserve sites for a large number of dwellings, it is necessary to look to locations such as Fair Oak for moderately sustainable housing sites. Development of these lands would entail a relatively modest urban extension in a location that offers moderately good access to a range of day-to-day facilities including schools, shops, and community facilities. A wide range of employment facilities could be reached by frequent bus services routed along Fair Oak Road that serve Eastleigh and Southampton. The combined development of the two sites offers potential for a better package of improvements to existing infrastructure and facilities than could be achieved singly. Overall, I consider that this proposal has some merit in PPG3 terms and that it appears to be capable of delivery within a reasonable time scale. Therefore, the combined site should be included in the list of sites for detailed investigation with a view to identifying it as a reserve housing site in the modified Plan.

Recommendation

- 5.215. The land at St Swithun Wells Church and Fair oak Lodge/Quobleigh Pond should be included in the list of sites for detailed assessment with a view to identifying it as a reserve housing site in modifications to be brought forward to the Plan.

Harding Lane, Fair Oak

Main Issues

- *landscape impact*
- *sustainability of the location*

Inspector's Considerations and Conclusions

- 5.216. The objection site lies on the northern edge of Fair Oak, to the east and south-east of Stoke Park Wood and Crowdhill Copse. It comprises some 13ha of mainly open land, but only about 2.4ha is proposed for a residential development of approximately 100 dwellings. In this respect it differs from the proposal considered at the EBLP Inquiry when over 8ha was put forward for development of about 120-150 dwellings. A substantial area of public open space is proposed along the northern edge of the site. Existing non-conforming uses at the southern end of the site would be removed as part of any development.
- 5.217. I have concluded elsewhere that there is a need to identify additional land for housing, in order to ensure that sufficient reserve sites are available in accordance with the HCSP's requirement. On this basis it is appropriate to look to the potential for this site to contribute to the identified need.
- 5.218. So far as landscape impact is concerned, the limited scale of development proposed for the site goes some way to meeting the Council's concerns about the potential impact on the countryside setting of Fair Oak, and I share this view. Even though there would be an inevitable urbanisation of the surroundings and the view from the public footpath on the eastern edge of the site would be changed significantly, I consider that these impacts could be moderated to an acceptable level by good detailed design and landscaping treatment.
- 5.219. In regard to sustainability, my comments above²⁰ about Fair Oak in general apply also to this site. Public transport services that are within walking distance are relatively good. For example, from Sandy Lane there are frequent (approx. 15 minute intervals) bus services to Eastleigh and Southampton, and Fair Oak is also on the route of the Winchester-Fareham and Eastleigh-Bishops Waltham services which gives access to Winchester at frequencies of between 20-60 minutes during the day and to Hedge End at 60 minute frequencies throughout the day. Cycle facilities to Eastleigh have already been provided along the B3037 and are likely to be improved in the future. Therefore, I consider that the site's location offers a choice of sustainable transport modes to major employment, retail and higher education facilities.
- 5.220. The distance to the nearest primary schools and convenience shops is

²⁰ See under Fair Oak Lodge/Quobleigh Pond and St Swithun Wells Church.

greater than is desirable to encourage walking or cycling as an alternative to the use of the car. The primary schools are about 2km away and this, combined with the road crossings that would be entailed, would be unlikely to encourage walking to school. There is a local shopping parade within 1km but it offers very limited facilities, while the greater range of services in the village centre is about 1.4kms distant. This too could increase reliance on car use for short trips. But reserve housing sites will inevitably be less suitable than those that are first preference choices.

- 5.221. Balancing all of the considerations, the landscape impact of development on this site could be accepted and it would offer a moderately sustainable location for new housing development if higher order sites do not come forward in the Plan period. On this basis I recommend that it be included in the list of potential reserve sites for more detailed consideration by the Council.

Recommendation

- 5.222. The land at Harding Lane, Fair Oak should be included in the list of sites for detailed assessment with a view to identifying it as a reserve housing site in modifications to be brought forward to the Plan.

Knowle Lane/South of Scotland Close, Fair Oak

Main Issues

- *need for Special Policy Area*
- *whether the site should be included within the Urban Edge*

Inspector's Considerations and Conclusions

5.223. The objection seeks the designation of land to the south of Scotland Close and to the east of Knowle Lane as a Special Policy Area within the urban edge in order to facilitate its restoration to a beneficial after-use. However, no specific proposals are advanced and it is far from clear what is intended. In my view there is inadequate justification therefore for any special policy approach to this area, especially since it lies in a rural part of the Borough and has sensitive landscape and nature conservation attributes. There is also no good reason to remove its protective designation as countryside. This conclusion would not debar the development of specific proposals in consultation with the Council at some future date.

Recommendation

5.224. No modification be made to the Plan in response to this objection.

Lapstone Public House, Fair Oak

Main Issues

- *local gap designation*
- *whether the site should be allocated for housing*

Inspector's Considerations and Conclusions

5.225. The site lies to the south of the Lapstone Public House at the southern end of Fair Oak and in the designated Fair Oak-Horton Heath Local Gap. This is a particularly narrow gap that is extremely sensitive to any incursion. My colleague who conducted EBLP Inquiry gave particular consideration to the scattered development between Fair Oak and Horton Heath and concluded that land fronting the road should remain in the gap in order to prevent the consolidation of development. I find no reason to differ from his conclusion. The need to identify reserve sites for housing or the need to provide more affordable dwellings does not outweigh the importance of protecting the identity of settlements and the appearance of valued open areas in semi-rural settings such as this.

Recommendation

5.226. No modification be made to the Plan in response to these objections.

Middle Farm, Fair Oak

Main Issues

- *sustainability of the location*
- *impact on the landscape and settlement form*

Inspector's Considerations and Conclusions

- 5.227. The objection site comprises about 21ha of open land to the east of Winchester Road, Fair Oak. It includes a dwelling (Middle Farm) and some outbuildings used for the stabling of horses. Part of the site fronts onto Winchester Road. It is proposed that most of the land would be laid out as formal and informal public open space. For the remainder, two alternative layout options are put forward but the number of dwellings proposed is similar, between 355-375 in number. Other elements of the proposals include potential sites for an additional convenience store for the settlement and for new primary health care facilities.
- 5.228. I have concluded elsewhere that there is a need to identify additional land for housing, in order to ensure that sufficient reserve sites are available in accordance with the HCSP's requirement. On this basis it is appropriate to look to the potential for this site to contribute to the identified need.
- 5.229. With regard to sustainability, my comments above²¹ about Fair Oak in general apply also to this site. There are relatively good public transport services within walking distance of the site. For example, there are frequent (approx. 15 minute intervals) bus services to Eastleigh and Southampton, and Fair Oak is also on the route of the Winchester-Fareham and Eastleigh-Bishops Waltham services which gives access to Winchester at frequencies of between 20-60 minutes during the day and to Hedge End at 60 minute frequencies throughout the day. Cycle facilities have already been provided along the B3037 Fair Oak-Eastleigh route and are likely to be improved in the future. Therefore, I consider that the site's location offers a reasonable choice of sustainable transport modes to major employment, retail and higher education facilities.
- 5.230. The site is also moderately accessible by non-car modes to local facilities within Fair Oak. The primary and secondary schools (and the associated community facilities at Wyvern College) are about 1km away, following a direct route along Winchester Road. In my view this would offer a convenient and relatively safe walk. The village centre which has a good range of shops and services is within about 500m of the site and the local shops at Sandy Lane are also within walking distance. Overall, I consider that the site is relatively accessible by non-car modes to a range of day-to-day facilities and that its development would not lead to

²¹ *ibid.*

increased reliance on car use for short trips. In respect of the second criterion of paragraph 31 of PPG3, I conclude that this site has some merit in the Eastleigh Borough context.

- 5.231. However, in terms of the landscape and settlement form, development on this side of Winchester Road at the scale proposed would entail substantial urbanisation of a rural setting. Even though there is some frontage development along this section of the B3354, the eastern side of the road has a distinctly rural appearance that contrasts with the village development on the western side. There is a strong visual impression of the village to the west and open countryside to the east and the proposed development would change that significantly. Notwithstanding that other parts of Fair Oak (e.g. along Mortimers Lane) extend to the east of the B3354, development at Middle Farm would entail a significant intrusion into open countryside that would be clearly visible from the B3354 and would spoil the landscape setting and the attractive settlement form of this part of Fair Oak. I consider that this harm outweighs the other factors and therefore the site does not merit further consideration.

Recommendation

- 5.232. No modification be made to the Plan in response to these objections.

North of Allington Lane, Fair Oak

Main Issues

- *sustainability of the location*
- *impact on the landscape and settlement form*

Inspector's Considerations and Conclusions

- 5.233. This site extends to about 7.5ha and lies on the north-eastern side of Allington Lane, to the south of the built-up area of Fair Oak. The new development at Orchard Lea lies to the north, while more established residential areas off Green Close lie to the north-west. An area immediately to the north of the site boundary appears to form part of the public open space associated with the new residential area further north.
- 5.234. Most of the land is 'greenfield' but there are some existing uses on it, particularly along the road frontage, including Allington Lane Nursery, a repair garage and an animal feed business. The objector contends that redevelopment of these would assist the achievement of the landscape improvement objectives of paragraph 1.28 of the Plan, as well as providing for about 200 dwellings at an assumed density of 30dph. It is proposed that a detailed package of improvements to facilities for pedestrians, cyclists and public transport users would also be brought forward by the development.
- 5.235. I have concluded elsewhere that there is a need to identify additional land for housing, in order to ensure that sufficient reserve sites are available in accordance with the HCSP's requirement. On this basis it is appropriate to look to the potential for this site to contribute to the identified need.
- 5.236. With regard to sustainability, my comments above²² about Fair Oak in general apply also to this site. Its location and accessibility to jobs, shops and services by non-car modes is moderately good, especially when full account is taken of the potential to improve connectivity for pedestrians and cyclists in the manner generally outlined by the objector. There are no major employment locations within walking distance, but frequent peak hour bus services to Eastleigh town centre and Southampton are available within walking distance of the site, and there is also potential to enhance existing cycle facilities along some of these routes.
- 5.237. In forming this judgement I am aware of the concerns about traffic congestion on the B3037 Fair Oak to Eastleigh route, and also highway safety issues on Allington Lane. Any housing expansion in accordance

²² *ibid.*

with the HCSP's requirements will almost inevitably generate increased traffic on local roads in the Borough, but in this case there would be opportunities to minimise these impacts, given the potential for journeys to be undertaken by non-car modes. Also there would be scope to improve highway safety on Allington Lane in association with development of the site. If the land to the east of Allington Lane at St Swithun Wells Church, Fair Oak Lodge/Quobleigh Pond were also to be brought forward for development there would be a cumulative traffic impact that would have to be assessed. On balance however, I consider that additional development in this location would have some advantages in sustainability terms.

- 5.238. Turning to the effect on the local landscape, this area has been identified in the Landscape Assessment of Eastleigh Borough (CD66) as one with a strong landscape character that would not be appropriate for housing development in any quantity without substantial loss of its existing character. On the other hand, as CD66 makes clear, the strong landscape structure makes the area capable of absorbing well-sited, low-density, high quality housing in carefully selected localities. Whereas the area to the east of Allington Lane at St Swithun Wells Church/Fair Oak Lodge/Quobleigh Pond is generally lower-lying and therefore in my view less sensitive to the visual impact of new housing, parts of this site are open to more distant views, especially from the west and north-west. New housing in these areas would be likely to be visually obtrusive, even with additional planting and screening. It would also entail a significant extension of the settlement in a southerly direction along Allington Lane and it would not be readily integrated with the residential areas to the north and east. For these reasons, and notwithstanding any other benefits that would be associated with its development, I do not consider that this site merits further consideration as reserve provision.

Recommendation

- 5.239. No modification be made to the Plan in response to this objection.

North of Mortimers Lane, Fair Oak

Main Issues

- *sustainability of the location*
- *impact on the landscape and settlement form*

Inspector's Considerations and Conclusions

- 5.240. I deal here with a number of objections that seek a housing allocation on land north of Mortimers Lane and/or the incorporation of the area into the urban edge. The objection re land at The Gore is not defined on a plan but it appears to relate to the area of land shown in the Council's evidence. An area of about 2.9ha is concerned, not all of which would be developed for housing, with the remainder as public open space. An estimated 48-80 dwellings could be provided at densities of 30-50dph respectively.
- 5.241. I have concluded elsewhere that there is a need to identify additional land for housing, in order to ensure that sufficient reserve sites are available in accordance with the HCSP's requirement. On this basis it is appropriate to look to the potential for this site to contribute to the identified need.
- 5.242. With regard to sustainability, my comments above²³ about Fair Oak in general apply also to this site. Within a short walk of the site there are public transport services to Eastleigh and Southampton that are relatively frequent; there are also services to Hedge and Winchester at less frequent intervals. Cycle facilities have already been provided along the B3037 Fair Oak to Eastleigh route and are likely to be improved in the future. Therefore, I consider that the site's location offers a reasonable choice of sustainable transport modes to major employment, retail and higher education facilities.
- 5.243. The site is also moderately accessible by non-car modes to local facilities within Fair Oak. The primary and secondary schools (and the associated community facilities at Wyvern College) are about 700m away, following a direct route along Winchester Road. In my view this would offer a convenient and relatively safe walk. The village centre which has a good range of shops and services is within about 400m of the site. Overall, I consider that the site is relatively accessible by non-car modes to a range of day-to-day facilities. In respect of the second criterion of paragraph 31 of PPG3, I conclude that this site has some merit in the Eastleigh Borough context.
- 5.244. However, in terms of the landscape and settlement form, development to the north of Mortimers Lane would entail a substantial incursion onto

²³ *ibid.*

open, elevated land that forms a backdrop to the settlement. New houses on the site, even if confined to its lower part, would be likely to obtrude into views from the south-east and would be particularly intrusive when seen from Hall Lands Lane. Although it would not necessarily extend the built form of Fair Oak further north than the existing development in this area, for the foregoing reasons I consider that development of the site would have an unacceptable impact on the setting of Fair Oak and on the visual amenities of the area. The open space and other benefits that might be achieved by residential development on the land would not outweigh its harmful impact. Therefore, this site is not worthy of further consideration by the Council as a potential reserve allocation. In these circumstances I see no justification for altering the urban edge boundary.

Recommendation

5.245. No modification be made to the Plan in response to these objections.

Stocks Farm, Fair Oak

Main Issues

- *sustainability of the location*
- *impact on the landscape and on settlement form*

Inspector's Considerations and Conclusions

- 5.246. The objection originally referred to a 6.5ha site on the eastern side of Winchester Road. Subsequently the area proposed for consideration was reduced to 1.45ha of which about 0.9ha is proposed for housing development of about 30-35 dwellings. This site has a relatively long frontage to Winchester Road, between Stocks Farm and Kingswood, and comprises an open, fairly low-lying field. Beyond the site boundaries to the north, east and south-east the land rises, especially steeply in the case of the east/south-east.
- 5.247. I have concluded elsewhere that there is a need to identify additional land for housing, in order to ensure that sufficient reserve sites are available in accordance with the HCSP's requirement. On this basis it is appropriate to look to the potential for this site to contribute to the identified need.
- 5.248. With regard to sustainability, my comments above²⁴ about Fair Oak in general apply also to this site. On balance, taking account of the accessibility to local and town centre facilities by a range of transport modes, I consider that the site at Stocks Farm is in a reasonably sustainable location and has potential as a reserve housing site on this basis.
- 5.249. However, this eastern section of Winchester Road has a distinctly rural appearance that contrasts with the main body of village development to the west. The proposed extent of development is quite limited in this case but it would nonetheless be clearly visible from Winchester Road. In my view new housing on the site would spoil the landscape setting and the attractive settlement form of this part of Fair Oak. I consider that this outweighs any sustainability advantages and therefore the site does not merit further assessment as potential reserve provision.

Recommendation

- 5.250. No modification be made to the Plan in response to this objection.

²⁴ *ibid.*

Heath House Lane, Hedge End

Main Issues

- *sustainability of the location*
- *landscape impact*
- *need for a policy on infill development*

Inspector's Considerations and Conclusions

- 5.251. The objections relate to a site described as Land Acres on the southern side of Heath House Lane in Hedge End. It comprises about 0.75ha of land that is partially developed with a mobile home, barn and other non-domestic buildings while the remainder is an open area that is used for grazing of animals. The eastern part of the site frontage is lined by a brick wall. There are a number of protected trees on the site.
- 5.252. I have concluded elsewhere that there is a need to identify additional land for housing, in order to ensure that sufficient reserve sites are available in accordance with the Structure Plan's requirement. On this basis it is appropriate to look to the potential for this site to contribute to the identified need. The objector assesses the housing capacity as about 30 dwellings.
- 5.253. This site lies at the south-eastern edge of the built-up area of Hedge End, within about 1km of Hedge End centre where there is a relatively wide range of convenience shopping facilities and services. Major retail and employment facilities are located between 1-2kms away in the Hedge End employment areas. Kings Copse primary school is within walking distance but the local convenience shop at Tanhouse Lane appears to have closed. Bus services on Heath House Lane provide hourly connections with Hedge End centre, Southampton, Fareham, Eastleigh and Winchester. In general terms, I consider that the site has some merits as a sustainable urban extension since it would offer reasonable alternatives to the use of the private car for journeys to meet day-to-day needs.
- 5.254. In terms of the potential landscape impact of new development on this site, I accept that it is set between Heath House Close (a cul-de-sac development of four dwellings) to the west and some ribbon development to the east. The latter and the objection site itself lie within the defined countryside in accordance with the emerging Plan, while Heath House Close is within the defined urban edge. Taking full account of the site context, I agree with the January 2004 appeal decision that this site should be regarded as countryside. Notwithstanding the brick wall frontage, the development on the site and the limited ribbon development to the east, this area is clearly of a different character to the suburban development on the northern side of Heath House Lane or Heath House Close. In this sense it has much in

- common with many other small ribbons of development outside the defined urban edges in the Borough.
- 5.255. Some urbanisation of the countryside fringes in the Borough will be unavoidable, given the housing requirement. Development of this site, albeit small and relatively well-contained, would however have an unacceptable impact on the rural character of the southern side of Heath House Lane. Even though it appears that the important trees on the site could be protected from harm, their significant contribution to the visual amenity of the area would be greatly diminished by residential development of the site. Also the attractive rural backdrop of the site, which forms part of a continuous band of countryside extending eastwards, would be harmed by visually intrusive buildings on a much more significant scale than exists currently. I do not consider that any harm that might arise from lawful use of the site would be of such magnitude as to justify the allocation of the land for residential development. Notwithstanding that the location has some advantages in sustainability terms, I do not consider that these are sufficient to outweigh the landscape considerations in this case.
- 5.256. The objectors also raise the need for a policy on frontage infill development in the Plan. I have considered other such objections elsewhere e.g in regard to the site at Upper Northam Close. In my view the Council's approach in seeking to restrict the potential for infill is correct. It reflects the need for strict control over development in the countryside areas of the Borough where there are already many scattered pockets of development that are vulnerable to development pressures. To allow for infill in general in these locations would lead to an unacceptable intensification of development in the countryside, which would be detrimental to the fragile rural character of these areas. In any event, I consider that this site is too large to be described as a potential infill.
- 5.257. The site is not within a designated local gap; therefore, the objection on that matter is in error and I make no further comment on it.

Recommendation

- 5.258. No modification be made to the Plan in response to these objections.

Jacksons Farm, Hedge End

Main Issue

- *suitability for housing development*

Inspector's Considerations and Conclusions

5.259. I deal here very briefly with linked objections that promote the development of Jacksons Farm to the north of Hedge End for housing development. No supporting details are provided but it appears that the site is promoted as part of an urban extension/MDA to the north of Hedge End. My conclusions in respect of the MDA are set out below and these apply also to Jacksons Farm, so far as any integrated scheme is concerned. If the site were to be developed on its own, I consider that it would entail a prominent expansion of Hedge End into the countryside to the north of the railway line. It would be isolated from the rest of the community by the railway line and would be likely to result in development that is car-dependent for access to basic day-to-day facilities. In my view it would not accord with the advice in PPG3 on the creation of sustainable urban extensions. Even though there is a need to identify reserve sites for housing for the Plan period, I do not consider that this site on its own merits any further consideration.

Recommendation

5.260. No modification be made to the Plan in response to these objections.

Little Hatts Copse, Hedge End

Main Issues

- *sustainability of the location*
- *landscape and local gap impacts*

Inspector's Considerations and Conclusions

- 5.261. The objection site extends to about 12ha and is located on the eastern edge of Hedge End, in land that is designated as countryside and local gap between Hedge End and Botley. It extends along the rear of properties on Precosa Road and Sovereign Drive and is separated from them by a rear access track. The Little Hatts Copse recreation ground lies on the southern edge of the site. Only some 6.5ha is proposed for development; much of the northern end of the site would be reserved for public open space. I take into account here the linked objections on countryside, local gap, and housing policies.
- 5.262. I have concluded elsewhere that there is a need to identify additional land for housing, in order to ensure that sufficient reserve sites are available in accordance with the HCSP's requirement. On this basis it is appropriate to look to the potential for this site to contribute to the identified need. The objector assesses that the site could accommodate about 300 dwellings at a density of 48dph.
- 5.263. Hedge End generally offers a wide range of employment, retail and community facilities and has access to Southampton by public transport. Residents of the proposed development would have Freegrounds Primary School within about 600m of the site, while the primary school at Kings Copse is within 1km. Hedge End centre with its retail and service facilities lies just over 1km away, and major employment and retail facilities in Hedge End lie within 1.5-2.5kms. Therefore a number of key facilities are within a convenient walking or cycling distance of this site.
- 5.264. It would also be accessible to destinations in Hedge End, Southampton and Eastleigh by half hourly bus services along Kings Copse Avenue, which is within a short walk of most parts of the site. I note that journey times by bus to Southampton are slow, but this is a constraint that applies generally, and the implementation of the proposed bus lanes would reduce its significance. Therefore, I consider that the objection site has some merit in sustainability terms in the Eastleigh context and that it would offer a realistic alternative to the use of the private car for journeys to a number of key day-to-day destinations. In drawing this conclusion I have not given any weight to indicative proposals for a convenience store and a doctor's surgery on the site, on the basis that there is no detailed appraisal of the feasibility of these schemes.

5.265. Turning to the impact on the landscape and the local gap, the development along Brook Lane already reduces the physical and visual separation between Hedge End and Botley. Development of this site would inevitably reduce the physical openness of the remaining gap between Brook Lane and Precosa Road/Sovereign Drive. I agree that the proposed layout of development would not reduce the width of the gap at its narrowest point, that landscaping treatment could soften and reduce the visual impact of the new urban edge, and also that the effect on the gap would not be perceived from Broad Oak, which is one of its most sensitive points. However, the extension of development into the countryside would be readily perceived by walkers on the public footpath network in the area and it would visibly reduce the local gap to a significant extent. I share the concerns expressed by the Inspector at EBLP Inquiry about the impact of development proposals on this site on the local gap. None of the changes in circumstances since then, including the need to identify reserve sites, are sufficient in my view to outweigh the harmful effect of this proposal on the local gap.

Recommendation

5.266. No modification be made to the Plan in response to these objections.

North Hedge End MDA

Main Issues

- *conformity with the HCSP*
- *sustainability*
- *effect on the countryside*
- *delivery*
- *sub-regional and post-2011 needs*

Inspector's Considerations and Conclusions

5.267. I consider here all of the objections that refer to the non-allocation of various parcels of land for an MDA north of Hedge End, and the linked objections to countryside and other policies. In accordance with the details put to the Inquiry by a consortium of developers, this proposal is for a comprehensive development of about 1500 dwellings in two phases, with associated employment, retail, education and community facilities and public open space. The total site area is about 70ha, of which 51ha would be developed in the first phase. In general terms the site is bounded to the south by the railway line, including Hedge End station, to the west by Bubb Lane and to the east and north-east by Winchester Road (B3354). Apart from a number of residential properties and small-scale commercial holdings, most of the site is in agricultural use. The main vehicular access would be from Bubb Lane, with a secondary one from Winchester Road and emergency access from Shamblehurst Lane via the railway bridge.

Conformity with the HCSP

5.268. In respect of the Plan's overall housing provision I have concluded²⁵ that there is a need to identify additional land in order to ensure that sufficient reserve sites are available in accordance with the HCSP's requirement; but in the light of my overall conclusions on the housing provisions of the Plan, there is no need to look for additional baseline sites unless some of the omission sites proposed by objectors ought to be preferred. It is against this background that the potential of this MDA proposal and the competitor one at Allington to contribute to the identified need is examined. However, as set out earlier²⁶, the County Council's certificate of non-conformity is not expressed in terms of the failure to provide for an MDA, and I follow the County Council's approach on this matter.

Sustainability of the MDA

5.269. As in the case of Allington, the objectors contend that this MDA is required to achieve the broader strategic objectives of the HCSP and to

²⁵ See under Policy 73H: Overall Housing Strategy and Provision

²⁶ *ibid.*

- create a properly planned mixed use community. It is proposed that the MDA should be added to the baseline provision, since it is a strategic site with correspondingly longer lead-in times, and that it should not be prejudiced by the piecemeal allocation of smaller greenfield sites, as has occurred at Dowd's Farm. There is also concern that the alternative option of smaller, piecemeal greenfield developments (the dispersed approach) could not achieve broader sustainability objectives or provide comprehensive and integrated solutions to a wider range of transport, employment and infrastructure needs identified in the HCSP.
- 5.270. I accept that the strategy of the Second Deposit Draft was not based on a full, comparative sustainability assessment of MDA options compared with a dispersed approach. I also note the view expressed in the unpublished Executive First Deposit Draft (UFDD) (CD78) about the comparative advantages of an MDA strategy in this regard. However, I do not accept that the North Hedge End MDA should be substituted for the brownfield capacity that is now clearly available in the Borough to contribute towards the baseline requirement. And in regard to the greenfield sites that are identified in the Plan, these alone may not lever significant new investment in public transport or other sustainable transport facilities; but they are relatively small urban extensions that can be integrated readily into the urban areas, would contribute to the critical mass for improvements in services generally, can be delivered within the Plan period, and are generally sustainable in my view. So far as paragraph 232 of the HCSP is concerned, I do not consider that the allocations at Dowd's Farm and south of South Street/Monks Way can be regarded as detrimental to the implementation of the MDA proposals, since there is nothing to indicate that either of them would prejudice an MDA scheme should it be required. Both of these allocations would satisfy the other criteria in that paragraph.
- 5.271. The comparative sustainability of this MDA with the smaller omission sites that I consider elsewhere as potential reserve sites is also not readily appraised, given the limitations of CD12 as expressed variously by the Council and objectors. Nonetheless, from my assessment of the evidence about the sustainability of the other omission sites put before this Inquiry, I have concluded that a number of them can be recommended as potential reserve sites, having regard to PPG3's criteria and to paragraph 232 of the HCSP. They are capable of satisfactory integration into the adjoining urban area, and some in particular are on a scale that could generate significant improvements in public transport, cycle and pedestrian facilities for the benefit of the wider area. It is unrealistic, as the objectors have done, to discount any contribution from these sites towards improved modal share for public transport.
- 5.272. In comparison, this proposal suffers particular disadvantages because of the severance effect of the rail line, which limits connectivity with the main urban area of Hedge End to one link across the railway line, or via the new access on Bubb Lane. The former, via Shamblehurst Lane, is unsuitable as a main access to the site and is proposed only for bus, cycle and pedestrian use. The development concept envisages that new local facilities would be provided just to the north of the railway crossing

- and that these would act as a focal point for the MDA residents while also providing facilities that are lacking in Grange Park to the south. However, the range of facilities that could be provided would be very limited, and the physical barrier of the rail line would be a severe constraint on integration of the two areas. As a result, I consider that this scheme would not help to build on the existing community in Hedge End, and that the limited range of facilities proposed on the site would not compensate for the relatively isolated nature of the development.
- 5.273. It follows that residents of the MDA would be largely dependent on access to Hedge End town centre and destinations further afield for many facilities. But their ability to reach these by sustainable modes of transport would be limited to the connection points described above and to the services available from Hedge End station and the proposed new high frequency bus service to Southampton. So far as the latter are concerned, the train services from the station are relatively limited at present; for example, the peak frequency for trains to Eastleigh and Portsmouth is twice per hour and there is no direct service to Southampton. Improved facilities for passengers could be provided as part of this MDA, but there is no firm indication that services would be improved during the lifetime of the Plan or that the scale of development proposed would underpin long-term viability of any improved rail services.
- 5.274. The proposal to fund a new high-frequency bus service to Southampton is an important consideration, and I agree that if this could be implemented in full it would offer much improved access to a number of destinations along the route. The Botley Road link is a key element of this scheme, but it is outside the control of the developers, and even with its implementation there would still be a reliance on shared road space along much of the route that would limit the reliability of the service. Much would also depend on achieving the required patronage level despite the limited stop service. On balance, I conclude that the prospects for successful implementation of this scheme are uncertain, and in any event there is no indication that the Local Transport Plan's objective of improving bus connections between Southampton and Hedge End could not be achieved without it.
- 5.275. As implied above, pedestrian and cycle connections between much of the MDA and areas to the south and south-west would be affected by the barrier of the rail line. The need to walk or cycle to the Shamblehurst Lane crossing would add significantly to journey length for many residents, and it would discourage these important modes of transport even for short journeys. Overall, it is likely that car-dependency would be a feature of this scheme, placing additional pressures on the local and strategic road network. While acknowledging the limitations of the available information, I find insufficient justification to conclude that this MDA would achieve the comparative advantage of 15% fewer vehicle trips than a dispersed strategy; there may be little or no benefit in these terms from this scheme.

Effect on the Countryside

- 5.276. The proposal would lead to a closing of the gap between Horton Heath and Hedge End to about 200m and to a very visible extension of Hedge End towards Winchester Road. The second phase development in particular would almost merge with Boorley Green, even though the frontage of Winchester Road would be retained as a green edge. The topography generally drops towards Hedge End and the parkland character of the land on the southern side of Winchester Road provides an attractive foreground to the urban area beyond. Some loss of countryside is unavoidable in order to meet the HCSP requirements, but the scale of loss entailed by this proposal would be considerable. In my view the MDA would be a harmful intrusion into the narrow area of countryside between Horton Heath, Hedge End and Boorley Green that should be avoided if at all possible.

Delivery

- 5.277. I have concluded that the Plan will make satisfactory provision for the Borough's baseline housing requirement without an MDA. Even though the MDAs in the HCSP strategy would provide for more than just housing, none of the other factors discussed above lead me to conclude that the North Hedge End MDA should be substituted for other elements of the baseline provision. The MDA would therefore fall to be considered as a reserve site, but this is incompatible with the essence of an MDA which requires considerable forward investment and long lead times in delivery.

Sub-Regional Need and Need in the post-2011 period

- 5.278. In the light of the above, I consider that any justification for including the North Hedge End MDA in the Plan would have to arise from sub-regional need and need in the post-2011 period. But as set out above under the general housing strategy, there is good reason to doubt that an MDA is required to meet the needs of South-West Hampshire in this Plan period, and my conclusion is consistent with the absence of a non-conformity objection from Hampshire County Council on this matter. So far as post-2011 needs are concerned, HCSP acknowledges that the MDAs may have the potential for development post-2011, but I can find no evidence that this was a specific purpose of their identification. The objectors have highlighted the potential to expand the MDA to the east, with an eventual capacity of 4000 dwellings. But there is no identified need for this scale of expansion and it would entail virtual coalescence of Hedge End and Botley which would be very harmful in my view.
- 5.279. I agree with the Council that the most sustainable means of providing for sub-regional needs in the longer-term, beyond 2011, should be decided at the strategic level through the regional and sub-regional framework. This would not necessarily assist in meeting the objection that the Plan should identify at least 10 years' potential supply of housing from the

date of adoption. Nonetheless, for the reasons set out above²⁷, I consider that the Plan, subject to my recommended modifications, would provide adequately for continuity of housing supply to the end of the Plan period and beyond.

Other Matters

- 5.280. RPG9 identifies the need for urban renaissance and mixed communities in the suburban parts of the Priority Area for Economic Regeneration, including the provision of affordable housing in locations that are easily accessible to the new employment areas. However, as in the case of the Allington MDA, I do not consider that this lends any particular support to the North Hedge End MDA, since these objectives may be achieved in a more sustainable manner by other proposals in the Plan and will no doubt be addressed in future LDDs.

Conclusion

- 5.281. In balancing the case for this MDA against the alternatives, I conclude that the MDA should not be preferred. It would entail an unnecessary release of a very large area of greenfield land in a sensitive location, and it suffers from a peripheral position isolated by the rail line. The strategy to create a mixed development area around the rail station, while superficially attractive, is weakened significantly by the severance effect of the rail line, and the package of transportation improvements that are proposed would not overcome the fundamental disadvantages of the proposal. In my view the scheme would not assist the achievement of the strategic objectives of the HCSP, whereas the release of smaller-scale greenfield sites that can be readily integrated with existing urban areas offers a more sustainable solution that can respond flexibly to changing needs. There are important questions that will need to be addressed at the appropriate level about the capacity of the Borough's existing infrastructure to accommodate a significant increase in the scale of development. But I do not consider that any of the concerns raised by the objectors should lead to the allocation of this MDA in preference to the Plan's strategy, as modified in accordance with my recommendations.

Recommendation

- 5.282. No modification be made to the Plan in response to these objections.

²⁷ See under Policy 73.H: Overall Housing Strategy and Provision.

Pylands Lane, Hedge End

Main Issues

- *sustainability of the location*
- *countryside and local gap impacts*

Inspector's Considerations and Conclusions

- 5.283. This site is subject to linked objections to the countryside and housing provisions of the Plan. It is located on the south-eastern edge of Hedge End and extends to about 10.5ha, comprising open fields and woodland. It has frontages onto Pylands Lane, Dodwell Lane and Heath House Lane. The woodland area which is a designated Site of Importance for Nature Conservation would be retained and protected and is excluded from the development area; the objector envisages that the latter could accommodate 150-200 dwellings at densities of 30-40dph.
- 5.284. I have concluded elsewhere that there is a need to identify additional land for housing, in order to ensure that sufficient reserve sites are available in accordance with the HCSP's requirement. On this basis it is appropriate to look to the potential for this site to contribute to the identified need.
- 5.285. As I have noted earlier, Hedge End generally offers a wide range of employment, retail and community facilities and has access to Southampton by public transport. However, this site is rather peripherally located in relation to some key daily destinations. It is unlikely, given the distance (about 1.5kms) and rather tortuous route to the nearest primary school at Kings Copse, that walking to school would be encouraged, even if a new pedestrian link into Dodwell Lane could be created. In the absence of detailed proposals for a satisfactory pedestrian connection through the SINC onto Heath House Lane I have discounted that potential.
- 5.286. There is no cycle network in the vicinity and this, together with traffic levels on Dodwell Lane/Bursledon Road at peak times, would discourage many from cycling. There is a range of facilities at Hedge End centre, but at a distance that is likely in my view to encourage the use of the car rather than walking. The range of major retail and employment facilities that is available at Hedge End and Southampton, within reach by bus services on Dodwell Lane, is significant, but the levels of service are not so good as to justify any marked upgrading of the site in overall sustainability terms. On balance, I consider that occupiers of new dwellings on this site would be likely to be car-dependent and that the proximity of Junction 8 on the M27 motorway would probably encourage such dependency.
- 5.287. It was clarified at the Inquiry that the objection in respect of the gap

designation should refer to the local gap, not the strategic gap, and that there is no objection in principle to the designation of local gaps. So far as the justification for retaining this land²⁸ within the local gap is concerned, I have noted the relevant criteria of the HCSP, the comments of the Inspector for the EBLP Inquiry and the various landscape appraisals that include this land. There have been some developments and commitments in the vicinity of the site since the previous Inquiry. But in my view none of them changes the fundamentally open nature of this area which is quite different from the built-up appearance of the land within the defined urban edges of Hedge End and Bursledon.

- 5.288. This site is also prominent visually, and development on the scale proposed would lead to a significant reduction in the openness of the countryside and of the gap between the adjacent built-up areas. For the reasons given by the previous Inspector, I consider that the land north of Pylands Lane is a necessary part of the countryside gap that preserves the separate identity of Hedge End and Bursledon. New housing on this site would also consolidate the fragmented pattern of development in the vicinity to the detriment of the countryside's appearance.
- 5.289. Notwithstanding the need to identify reserve housing sites, I conclude that this site has significant disadvantages for sustainability, countryside and local gap reasons. The wider benefits that might be achieved by development of the site, for example, provision of affordable housing and protection and management of Piland's Copse, would not outweigh these disadvantages. Therefore it is not appropriate for further consideration as a reserve housing site.

Recommendation

- 5.290. No modification be made to the Plan in response to these objections.

²⁸ Only part of the site is included within the Local Gap designation while the remainder is designated as countryside.

Upper Northam Close, Hedge End

Main Issues

- *suitability for housing*
- *impact on strategic gap*
- *need for infill policy*

Inspector's Considerations and Conclusions

- 5.291. I consider here a number of linked objections in respect of a small site at Upper Northam Close, between the M27 and Upper Northam Road. This land forms part of an area of mainly open land that adjoins the eastern edge of the M27 motorway. The objection site occupies only the frontage section of this land and its development would entail a westerly extension of the ribbon of housing on Upper Northam Close. It is estimated that it could accommodate about three or four dwellings.
- 5.292. There is a need to identify additional land for housing, but this site would make an extremely limited contribution. More significantly, it is located in a very narrow section of the designated strategic gap between Hedge End and Southampton. Its visual link with the whole of the strategic gap lands in this location is limited by the M27 motorway and by other intervening development that lies within the gap, but I do not consider that this is a justification for deleting the protective designation in this case. To do so would diminish the openness of a very fragile ribbon of countryside along the M27 and would contribute to urban coalescence. There are said to be difficulties in finding acceptable uses for this site but I do not consider that these would justify its development for residential purposes. Nor would any advantages that the site has in terms of accessibility to facilities override the objection on countryside and strategic gap issues.
- 5.293. The omission of an infilling policy from the Plan is also criticised in the objections. However, I do not agree that there is any essential difference in the Council's approach to this matter, compared with neighbouring planning authorities. The Plan defines urban edges within which residential development, including infilling, would be acceptable in principle. Areas outside the defined urban edges are, by definition, countryside and as such they are not generally suitable for residential development. It seems to me that careful analysis of the existing ribbons and clusters of development and their suitability for infilling was carried out in the process of defining urban edges. Therefore, I do not consider that there is any need for an infilling policy in this case.

Recommendation

- 5.294. No modification be made to the Plan in response to these objections.

Wildern Mill, Hedge End

Main Issue

- *whether a specific allocation policy for the site is required*

Inspector's Considerations and Conclusions

5.295. This site was identified in the Urban Capacity Study and has already been the subject of a planning application. It is understood that a development brief has been prepared for the site. The objector considers that a specific policy dealing with the particular development issues in this case is merited but I do not agree. There is nothing to indicate that the policy framework in the Plan would not facilitate proper consideration of the emerging proposals for the site, and in my view such a policy would be unlikely to assist further in bringing forward the land for development. In the interests of a concise document that will not become out-dated rapidly, I recommend no modification to the Plan in regard to this objection.

Recommendation

5.296. No modification be made to the Plan in response to this objection.

Blind Lane, Horton Heath

Main Issues

- *sustainability of the location*
- *impact on the landscape*

Inspector's Considerations and Conclusions

5.297. This site comprises open land of about 5.2ha that lies to the south and west of existing residential areas in Horton Heath. It has frontages to Blind Lane and Burnetts Lane, although the latter frontage is only a very short one to the north of Flower Cottage. This land is within the defined local gap between Horton Heath and Hedge End and is subject to countryside protection policies.

5.298. No further information is provided with the objection. The site would appear to fall within the area generally proposed for the Allington MDA, but the scale of the development would clearly be much more limited. While it would form an extension to Horton Heath, I do not consider that it would score well against the tests set out in PPG3, paragraph 31, for the sustainable extension of settlements. It is relatively remote from shops and other facilities except by car; access would probably be gained from tortuous, narrow lanes; and increased use for vehicular traffic would be likely to give rise to safety conflicts with pedestrians and cyclists. And in landscape terms it would occupy a relatively prominent area of land that would be visible for some distance. Overall, notwithstanding the need to look for reserve housing sites in accordance with my recommendations elsewhere in this report, I do not consider that this site is worthy of further investigation.

Recommendation

5.299. No modification be made to the Plan in response to this objection.

Dumpers Drove, Horton Heath

Main Issue

- *whether the site should be allocated for housing*

Inspector's Considerations and Conclusions

5.300. This site is located in the countryside outside the defined urban edge of Horton Heath and is a designated Site of Importance for Nature Conservation (SINC). It was considered at the EBLP Inquiry and I find no reason to differ from the Inspector's conclusions at that time. The need to identify reserve housing sites would not override the nature conservation importance of this land and there is no justification for removing the countryside or nature conservation designations that apply here.

Recommendation

5.301. No modification be made to the Plan in response to these objections.

Hammerley Farm, Horton Heath

Main Issues

- *impact on the local gap*
- *sustainability of the location*

Inspector's Considerations and Conclusions

- 5.302. I deal here with the objections in respect of the local gap designation of this land and its omission as a housing site. While it is described as land at Hammerley Farm it also comprises part of the curtilage of The Kestrels, at the western end of Chapel Drove. This site lies on the north-western edge of Horton Heath. It adjoins an area of former nursery buildings at Hammerley Farm that was recently included within the settlement boundary and has the benefit of outline planning permission for 13 dwellings. The objection proposals seek to achieve an integrated development of the three parcels, which have a total area of about 3.5ha. A notional capacity of about 60 dwellings, including the 13 that have outline planning permission, is put forward by the objector.
- 5.303. I have concluded elsewhere that there is a need to identify additional land for housing, in order to ensure that sufficient reserve sites are available in accordance with the HCSP's requirement. On this basis it is appropriate to look to the potential for this site to contribute to the identified need.
- 5.304. The urban edge is not clearly defined on the ground at Hammerley Farm but there is nonetheless a clear distinction between the fields that are essentially open and those parts of Horton Heath that are built-up. I agree with the Inspector who conducted the EBLP Inquiry that there is a need to protect the openness of the relatively narrow gap between Horton Heath and Fair Oak in order to prevent a feeling of coalescence, and in my view this development would conflict with that objective. Even though it would not lead to visual intrusion into the gap when seen from Botley Road, it would nonetheless visibly and physically reduce its openness, especially when seen from the public open space at Lapstone Farm and from other vantage points on public footpaths and lanes in the vicinity. It would inevitably reduce the north-south separation between Fair Oak and Horton Heath, albeit not at its narrowest point. But to use the narrowest point as the test of what is essential to maintain separation could lead to an almost complete merging of the two settlements from each potential reference point. Some of the visual impact of the development would be lessened in the future when the planting on the nearby open space matures, but the physical encroachment into the narrow gap would remain.
- 5.305. Turning to the sustainability of the location, the site would have relatively good access to the schools at Fair Oak, assuming that a convenient and safe pedestrian route could be provided via the Lapstone

open spaces. But the nearest shopping facilities²⁹ would be at least 1.5kms away and while this is easily within cycling distance I consider it would nonetheless be likely to encourage car use for even top-up shopping. The nearest major employment and shopping facilities are in Hedge End or Eastleigh. Public transport connections to these locations offer only hourly services and this too would be likely to increase reliance on use of the car. Even the layout of the site, which would entail a very long cul-de-sac development, would hinder its integration into the adjacent areas of Horton Heath and lead to a relatively isolated, car-dependent development.

- 5.306. In conclusion, the development of this site for housing would have an unacceptable impact on the local gap and would not help to reduce the reliance on use of the car for daily journeys. The potential benefits of new boundary planting, a new footpath and cycleway link from Horton Heath to the schools' campus, and the provision of affordable housing, would not in my view outweigh the above mentioned disadvantages.

Recommendation

- 5.307. No modification be made to the Plan in response to these objections.

²⁹ The nearby petrol filling station sells only a few convenience goods.

Moorgreen Farm, Botley Road, West End

Main Issues

- *suitability for development*
- *role of strategic gap*

Inspector's Considerations and Conclusions

5.308. The objections refer to the housing, countryside and economy policies of the Plan but I consider all of them here for the sake of convenience. They concern three parcels of land, all forming part of Moorgreen Farm, that are promoted for various uses, including employment, recreation/leisure facilities and services on Plot A, open space and nature conservation on Plot B, and residential on Plot C. Plots A and C lie generally between the M27 and Moorgreen Hospital, while Plot B is to the east of the motorway. All of the objection land is within the designated strategic gap between Hedge End and West End.

5.309. As I have recommended elsewhere, reserve housing sites need to be identified to fulfil the HCSP requirement. However, I do not consider that Plot C merits further investigation in this regard. It is located in a particularly narrow wedge of open land between the built-up area of West End and the retail park at Hedge End. In my view the openness of this area is vital to maintaining some separateness of identity for the settlements and is an important green lung along the M27. And while some loss of countryside is inevitable if future housing needs are to be met, any advantages that this site would offer in terms of convenient access to facilities and potential for integration into the existing community of West End are not so significant that they would outweigh the countryside objection. For these reasons the site is not to be preferred to Dowd's Farm.

5.310. Plot A is a larger tract of land that adjoins Botley Road. In my view it is even more sensitive to encroachment, since it comprises most of the only remaining open area on the northern side of Botley Road between West End and Hedge End. In any event, I do not consider that there is any need to identify additional employment land in the Plan³⁰, and no justification in terms of the sequential approach has been provided for the development of leisure uses in this location, which is not within a town centre. Nor is there any identified need for health facilities that might outweigh the countryside policy objections in this case. Finally, in respect of Plot B, its existing openness contributes to objectives for the protection of the countryside, and there is no evidence that any need for additional open space or for the protection of nature conservation interests could not be achieved without the package of development proposed for Moorgreen Farm.

³⁰ See Chapter 7 of this report.

5.311. With regard to the function of this land in the strategic gap, it is clear from the above that I consider that it correctly includes this site. The contention that the strategic gap boundaries were drawn prematurely is noted, but I do not consider that there is any justification for excluding this part of the gap in order to meet development needs. Also, in my view the role played by the M27 in separating the settlements is limited to its barrier effect; it does not contribute to openness and its very nature is urbanising. Therefore, it is important to retain open land around the M27 in this location in order to fulfil the objective of Policy G2 of the HCSP.

Recommendation

5.312. No modification be made to the Plan in response to these objections.

Moorhill, Moorhill Road, West End

Main Issue

- *suitability for housing development*

Inspector's Considerations and Conclusions

5.313. The linked objections to countryside and housing policies are considered together here for the sake of convenience. Moorhill is a large detached property in an area designated as strategic gap and countryside, on the fringe of the Southampton urban area. It is located between two reservoirs and is well wooded. Nonetheless, I consider that it forms an important part of the narrow, open area between West End and Hedge End, and the protection of this gap serves a strategic purpose. The exclusion of frontage land on Moorhill Road from the strategic gap, as proposed in this case, would diminish the openness of the area visibly as well as physically. Whether or not its development might serve as a precedent for encroachment into other parts of the gap, I do not consider that there is sufficient justification for removing the protective policy designations from this site or allocating it for housing. This location benefits from relatively good accessibility to facilities in the wider Southampton area, but neither this nor the need to identify reserve housing sites for the Plan period outweigh the importance of protecting the open buffer between the adjacent urban areas.

Recommendation

5.314. No modification be made to the Plan in response to these objections.

Pinewood Park Estate, West End

Main Issue

- *suitability for housing*

Inspector's Considerations and Conclusions

5.315. This site lies to the west of Kanesh Hill, and within the designated strategic gap between Hedge End and Southampton. It is also within a Site of Importance for Nature Conservation at Dumbleton Copse. There is a need to identify additional land for reserve housing sites, and this location in general benefits from reasonably good access by non-car modes to a range of facilities. Nonetheless, the openness of the area between Hedge End and Southampton is particularly vulnerable to incursion, and development here would contribute unacceptably to coalescence of the urban areas. I consider that this objection, and the conflict with nature conservation objectives, outweighs any advantages of the site for development.

Recommendation

5.316. No modification be made to the Plan in response to this objection.

Romill Close (west of), West End

Main Issues

- *sustainability of the location*
- *urban form/severance effect of A27*

Inspector's Considerations and Conclusions

- 5.317. The relevant objections concern a site with a net developable area of 1.5ha and an estimated capacity of about 65 dwellings that lies on the northern side of Swaythling Road/Mansbridge Road (A27), to the west of Romill Close. A garden centre is located on the opposite side of the A27 while to the south-east is the built-up area of Southampton³¹. The northern boundary is formed by the M27 motorway, the western one by the Solway employment premises, while Romill Close and the land to its east are residential in character. The site lies within the designated strategic gap but an objection in this regard has been withdrawn on the basis of agreement between the parties at the Inquiry that it is no longer necessary to retain this notation, irrespective of whether or not the land is allocated for housing.
- 5.318. I have concluded elsewhere that there is a need to identify additional land for housing, in order to ensure that sufficient reserve sites are available in accordance with the HCSP's requirement. On this basis it is appropriate to look to the potential for this site to contribute to the identified need.
- 5.319. In my view the site has some advantages in terms of the criteria set out in paragraph 31 of PPG3. Although predominantly greenfield, there is a clear need to look to some greenfield sites for both the baseline and reserve housing requirements of the Borough. Residential development of the site would form a small urban extension of Southampton. Accessibility to jobs, shops and services by non-car modes would be moderately good, especially when full account is taken of the frequent bus services to Eastleigh, Hedge End and Southampton that are available on Swaythling Road, within some 500m walk of the centre of the site. Swaythling rail station, Southampton Parkway station, as well as Southampton Airport, are within 2 or 3kms of the site and are accessible by bus or cycle. While dedicated cycle routes are generally not available nearby, there are reasonably safe routes through residential streets to a number of employment, education and services destinations in Southampton. Access for pedestrians to local schools and neighbourhood parade shops would require a safe crossing of the A27, but thereafter these facilities are within a short walk through residential streets to the Townhill Park area.

³¹ The area to the south-east of Swaythling Road is in Eastleigh Borough, albeit part of Southampton's built-up area.

- 5.320. I appreciate the Council's concern about the severance effect of the busy A27 road. Nonetheless, the A27 is routed through other urban neighbourhoods in Eastleigh and Southampton and does not in my view give sufficient cause for dismissing the potential of this site. The speed limit could be reduced if considered necessary, and the promoters of this site would be willing to provide a new toucan crossing to the east of Romill Close that would improve safety for pedestrians and cyclists to a significant degree. It would be necessary to obtain a Traffic Regulation Order for the closure of Romill Close to vehicular traffic, but it appears that the highway authority would support the closure proposals, and such closure would have benefits for pedestrians and cyclists by providing a safe and attractive route into the site.
- 5.321. Notwithstanding the conclusions of the Inspector at the EBLP Inquiry in respect of the strategic gap, I do not consider that the exclusion of this site from the gap would have any significant impact on the physical or visual separation of Eastleigh from Southampton. With regard to the Council's concerns about urban form, the relatively small scale of this development and its confined setting between the motorway, the Solway premises and the strong landscape structure of Romill Close would in my view help to assimilate it into the urban area. Provided that the detailed design of a scheme for the site preserved the character and appearance of the adjoining conservation area and respected the landscape setting of the site, I do not consider that the overall impact on urban form would be harmful. I note that the site does not include the property known as Marina on Romill Close, but there would be no objection in principle to its inclusion in a scheme for the overall site.
- 5.322. The objector also suggests that the settlement boundary should be amended to include the Solway site to the west, but so far as I can tell, no duly made objection has been made to this effect and therefore I make no recommendation. Details of a suitable noise barrier and landscaping of the northern edge of the site adjoining the M27 are matters that would need to be resolved at a later stage, as appropriate.
- 5.323. On balance, I consider that the site has sufficient merit in PPG3 terms to justify its inclusion in the list of sites for detailed assessment as potential reserve provision.

Recommendation

- 5.324. The land to the west of Romill Close should be included in the list of sites for detailed assessment with a view to identifying it as a reserve housing site in the modifications to be brought forward to the Plan.

CHAPTER 6

TRANSPORT AND ACCESSIBILITY

Paragraph 5.7: Traffic Reduction Targets

Objections

See Appendix A for the list of objections on this matter

Main Issue

- *whether reference to 'the elderly' encompasses all those entitled to concessionary travel*

Inspector's Considerations and Conclusions

- 6.1. Paragraph 5.7 has been deleted from the Second Deposit Draft. It referred to the Transport Bill, which has now been superseded by the Transport Act (2000). Detailed information about operational matters related to bus fares and concessionary travel arrangements is more appropriately dealt with in the Local Transport Plan. I support the deletion.

Recommendation

- 6.2. No modification be made to the Plan in response to the objection.

Policies 99.T and 100.T: Highway Network

Objections

See Appendix A for the list of objections on this matter

Main Issue

- *clarity of the policies*

Inspector's Considerations and Conclusions

- 6.3. Policy 99.T sets out criteria for the assessment of new road and highway investment proposals. Policy 100.T is also criteria-based and seeks to control the development of additional roadside facilities serving the strategic road network.
- 6.4. In response to the objections, the word 'all' has been added to the policies in the Second Deposit Draft, thereby making clear that all of the criteria must be satisfied. I consider that this resolves the objections.

Recommendation

- 6.5. No modification be made to the Plan in response to these objections.

Policy 101.T: Transport Schemes

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *whether a road link from the CLLR to the MDA should be safeguarded*
- *need to refer to P&R sites at Windhover and Wide Lane*
- *effect of cycle routes and road proposals on SINCS*
- *whether reference to the Rapid Transit route should be removed until funding is secured*
- *need to update the policy in respect of Chandlers Ford rail station*

Inspector's Considerations and Conclusions

- 6.6. Policy 101.T seeks to safeguard land for major highway and transport proposals identified in the HCSP.
- 6.7. I deal with the proposed MDA at Allington under HEXC in Chapter 5 of this report. In the light of my conclusions there is no need to safeguard a route from the Chickenhall Lane Link Road (CLLR) across the Itchen Valley to the MDA.
- 6.8. I consider matters relating to park and ride under Policy 103.T below but as a consequence, Policy 101.T should be modified to include the safeguarding of sites at Windhover and Stoneham for bus-based park and ride.
- 6.9. In respect of the third issue, the Botley by-pass is included on the schedule of proposals in Policy T16 of the HCSP. However, the Council has indicated that the County Council is reassessing the route of the bypass and that an environmental assessment will be carried out. With regard to the cycle routes which abut the SINCS, I understand that some of the routes have been revised in response to the concerns raised about their effect on the SINCS. Policy 24.NC of the Plan seeks to control development that would affect a SINC and the Council will be bound by this policy. This process will not be prejudiced by including the cycle routes on the Proposals Map.
- 6.10. With regard to the fourth issue, Policy T16 of the HCSP states that land should be safeguarded for the proposed South Hampshire Rapid Transit (SHRT) route. Paragraph 6 of PPG13 states in the final bullet point that local authorities should protect sites and routes which could be critical in developing infrastructure to widen transport choice for passengers and freight movements. The SHRT is referred to in both the Local Transport Plan (CD10) and the Eastleigh Transport Strategy (CD26). As such it is entirely appropriate for the Council to safeguard the route until such time

as funding can be secured to develop the scheme.

- 6.11. On the final issue, the Council has deleted the second criterion of Policy 101.T in the PIC document (CD7) in the light of the re-opening of Chandler's Ford station. This would resolve the objection.

Recommendations

- 6.12. Policy 101.T be modified in accordance with the PIC on page 10 of CD7 and by the addition of safeguarding proposals for sites at Windhover and Stoneham for bus-based park and ride in accordance with Policy 103.T.
- 6.13. No other modification be made to the Plan in response to these objections

Policy 102.T: Transport Schemes

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *omission of traffic calming/pedestrian improvement proposals*
- *need to avoid delays from bus priority measures*
- *justification for A27 Bursledon to Romsey bus priority/pedestrian/cycle route*
- *whether the policy is clear and provides certainty*
- *whether planning permission is required for all the listed schemes*

Inspector's Considerations and Conclusions

- 6.14. The policy sets out a list of Local Transport Plan proposals and seeks developer contributions in support of their implementation.
- 6.15. With regard to the first issue, the proposed traffic calming measures and pedestrian improvements put forward by the objectors in respect of Dutton Lane, Barton Park and Portsmouth Road are not included as part of the Local Transport Plan (LTP). The Council has noted the concerns of the objectors and referred the proposals onto the relevant committees for further consideration. PPG12 advises that only proposals which are firm, with a reasonable degree of certainty of proceeding and which are identified in the LTP should be included as a proposal in a local plan. I consider that this is important advice that should be followed until such time as the suggested schemes are identified in the LTP.
- 6.16. Turning to the second issue, the effect of bus priority schemes on traffic flows, in particular oil tanker traffic, is an operational matter for consideration by the highway authority. I do not consider that this is an issue to be addressed through the local plan.
- 6.17. Concerning the A27 scheme, this route is an important east-west spine through the Borough and the County Council has identified a need to reallocate road space to public transport, cyclists and pedestrians in accordance with PPG13, paragraph 4, which sets out national policy objectives to promote accessibility by public transport, walking and cycling. The scheme is also included in the Local Transport Plan. I consider that the policy should not be modified in this regard.
- 6.18. The words. 'in appropriate circumstances' have been deleted from the policy in the Second Deposit Draft. I consider that this resolves the corresponding objection about ambiguity/lack of clarity in the policy.
- 6.19. On the final issue, paragraph 5.15 of PPG12 advises that transport

proposals which do not directly involve the use of land, but have implications for land use, should be included as proposals in development plans. It goes on to state that development plans should also include policies on the management of traffic. Most of the proposals in the policy would affect land use in some way, but the 20mph zones should be left to the LTP since there are no land use consequences related to the imposition of such speed restrictions.

Recommendations

- 6.20. Policy 102.T be modified by deleting all references to 20mph zones from the list of LTP proposals.
- 6.21. No other modification be made to the Plan in response to these objections.

Policy 103.T: Large Scale Bus-Based Park and Ride

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *whether sites at Windhover and Stoneham should be safeguarded for park and ride and the policy made less restrictive*
- *whether park and ride schemes would be unacceptable without other road improvements*

Inspector's Considerations and Conclusions

- 6.22. In accordance with Policy 103.T as amended in the Second Deposit Draft, park and ride (P&R) schemes within strategic gaps or the countryside would only be permitted subject to the satisfactory outcome of a comprehensive transport and environmental impact assessment and to compliance with the advice in PPG13. Although the policy also includes a reference to PPG13's advice re P&R sites in the Green Belt, the Council has acknowledged that this is in error and should be deleted.
- 6.23. The County Council has issued a statement of non-conformity with Policy T16 of the HCSP which requires that land should be safeguarded for sites at Windhover and Stoneham. The HCSP policy is carried forward in the LTP and the relevant area transport strategies which have been developed in close liaison with the Council. Two specific sites within the Borough at Windhover and Stoneham have been identified in the detailed study of strategic P&R opportunities for the Southampton area¹, commissioned by the County Council and Southampton City Council and subsequently accepted by the South West Hampshire Transportation Panel. It has been agreed that further investigation of the role of P&R will be taken forward as part of the South Hampshire Study which will provide background advice to the Regional Spatial Strategy. The Windhover site is seen as a medium-term target (2006-2008) in the Hamble and East of Southampton Partnership Agreement, to which the Council is a signatory. The development of the site at Stoneham would generally accord with the policies and objectives in the emerging revision of the Regional Transport Strategy to develop Southampton Airport as an international gateway.
- 6.24. Overall, there is clear evidence from regional, county and local policies of a commitment to develop strategic P&R in the Southampton area, and the identification of the particular sites at Windhover and Stoneham has followed a process that accords with the advice in PPG13, paragraphs 59-62. Further detailed work will be undertaken on the proposals, and no doubt this will include consultation and joint working with Southampton

¹ Strategic Park and Ride Opportunities for the Southampton Area, Peter Brett Associates, 2002.

City Council and the County Council in the light of the competing alternatives in the Stoneham area. A P&R facility on this northern corridor into Southampton may be a lesser priority than the eastern and western corridors, and in this regard I have taken full account of PPG12's advice on safeguarding and the prevention of blight. Nonetheless, I consider that there is ample justification on transportation grounds for the safeguarding in the Plan of the two sites concerned.

- 6.25. The Council suggests that Policy T16 is inconsistent with Policies G1 and G2 of the HCSP, given that both sites are located in strategic gaps. In my view there is no inconsistency since the strategic policy framework should be interpreted in the round and Policies G1, G2, T1, T2, T3 and T16 are part of a balanced strategy for the achievement of a sustainable pattern of development. In any event, Policy G1 would not prevent the development of P&R sites in a strategic gap in certain circumstances, and Policy G2 makes clear that the precise boundaries of strategic gaps should be defined in local plans after provision has been made for the development requirements established in other policies in the HCSP. Also, PPG13 makes clear that P&R development may not be inappropriate in the Green Belt and for similar reasons I do not consider that it would necessarily be incompatible with protection of the strategic gaps. In the light of the policy background set out in the preceding paragraph, I conclude that there is a well-established justification for safeguarding the sites at Windhover and Stoneham, notwithstanding their location within strategic gaps.
- 6.26. Other concerns expressed in objections relate to the need for environmental impact assessment and to the need for any P&R schemes to be supported by complementary improvements to the highway network. I have no doubt that the latter point would be addressed in the detailed transport assessment of particular schemes, and the former is covered in any event by the 1999 Regulations, to which a reference is made in paragraph 3.1 of the Plan.
- 6.27. In the light of the above, Policy 103.T should be modified to set out criteria in accordance with which detailed development proposals for P&R schemes on the two sites would be determined. The scope of the criteria is described in my recommendation below. The Proposals Map should also be modified to indicate the safeguarding of the sites but I consider that the lands should remain protected by the strategic gap Policy 2.CO until such time as the sites are required for P&R purposes.

Recommendations

- 6.28. Policy 103.T be deleted and replaced by a policy that refers to the sites at Windhover and Stoneham (as identified in the Peter Brett report) that are safeguarded for use as bus-based park and ride facilities in accordance with Policy 101.T (as modified in accordance with my recommendations). The modified Policy 103.T should make clear that the development of these sites would be permitted subject to criteria including i) that the proposal would demonstrably promote more sustainable travel patterns and would be fully integrated with off-site measures for public transport

improvements, traffic management and parking controls; ii) that the proposal would achieve high-quality soft and hard landscaping that respects the setting of the site, and iii) that the proposal would provide for sheltered pedestrian waiting areas, toilets, cycle parking, lighting and security measures but that no other buildings or structures would be permitted except for purposes that are essential to the operation of the park and ride site. The Plan should also make clear that Policy 2.CO will apply to the sites until such time as they are required for P&R purposes.

- 6.29. Paragraphs 6.13-6.16 be deleted and replaced by an explanation of the sub-regional context for the safeguarding of the sites at Windhover and Stoneham and by information on the assessment studies and the on-site and off-sites measures that are likely to be required to satisfy the policy criteria.
- 6.30. The Proposals Map be modified to indicate the safeguarded sites.

Policy 108.T: Freight

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *need to acknowledge aviation safety implications*
- *whether prohibition of the loss of rail freight facilities will hamper the redevelopment of brownfield land*

Inspector's Considerations and Conclusions

- 6.31. Policy 108.T allows the conversion of existing rail yards into rail freight interchanges where the sites are served by appropriate road infrastructure and do not compromise aviation safety at Southampton Airport. The policy also stipulates that proposals must be rail-based.
- 6.32. The amended policy in the Second Deposit Draft includes a reference to aviation safety at Southampton Airport. I consider that this resolves the objection on the first issue.
- 6.33. As PPG13 advises, local authorities should protect sites and routes which could be critical in developing infrastructure for the movement of freight. The policy's broad-brush approach to protecting all such sites is too inflexible and could, as the objector suggests, prevent some disused rail facilities with little prospect of reuse from being redeveloped. If the Council has specific sites in mind that it wishes to safeguard for future rail freight use then they should be identified in the Plan. Otherwise sites should be considered on a case by case basis, although in accordance with PPG13, uses related to sustainable transport should be considered first, before other uses. The final sentence of the policy should be modified to reflect this.

Recommendations

- 6.34. Policy 108.T be modified by deleting the final sentence and adding the following new sentences:-
'The redevelopment of existing rail yards to other non rail-based uses will be resisted unless it can be demonstrated that the use of the rail infrastructure is no longer viable. Alternative uses that are related to and contribute towards sustainable transport will be considered before other uses.'
- 6.35. The Council should consider identifying in the Plan any specific sites that it wishes to safeguard for rail freight use.
- 6.36. No other modification be made to the Plan in response to these objections.

Policy 110.T: Residential Development

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *need to relate highway contributions to the scale of development proposed*
- *whether reference to small developments and single dwellings should be deleted*
- *whether traffic reduction target can be better achieved through locating residential development in sustainable locations*

Inspector's Considerations and Conclusions

- 6.37. Policy 110.T requires that residential development, of whatever size, would not compromise the achievement of the headline target in the Road Traffic Reduction Act (RTRA). The policy repeats the provisions of Policy 112.T, which refers to all development and therefore Policy 110.T should be deleted in the interest of a clearer, more succinct Plan. Paragraph 6.28 also forms the supporting text to Policy 112.T and as such, subject to some modifications set out below, it should be retained.
- 6.38. The Council proposes in the PIC document (CD7) to add text to paragraph 6.28. This states that the Council will relate any contributions or mitigation measures to the scale of the impact arising out of the development. The text would address the first issue, but the PIC sentence is too long and should be modified in the interests of clarity. I recommend accordingly.
- 6.39. Turning to the second issue, I agree with the objector that it is unduly onerous to require a traffic statement or to seek contributions in lieu of a statement for all small-scale proposals and single dwellings. The corresponding references should be deleted from the Plan. Proposals for small-scale development should be considered on a case by case basis, rather than the broad-brush approach advocated in paragraph 6.28. The final sentence (excluding the PIC) of the paragraph leaves the door open for the Council to request a traffic statement, should it feel there are transport impacts related to a small-scale residential proposal which merit such an approach.
- 6.40. The text which refers to small scale developments and developer contributions should also be deleted from paragraph 6.28. As referred to above, Policy 112.T is a catch-all policy which states that all development which results in additional traffic, greater than the levels of growth permitted by the RTRA target, will be subject to the provision of contributions in scale and in kind that would mitigate against the traffic impact. This policy could be applied on a case by case basis where the Council considers there are significant transport impacts associated with

any small-scale residential proposal and as such there is no need to refer to contributions specifically from residential proposals.

- 6.41. In respect of the third issue, Policy 109.T sets out accessibility criteria that will be applied in considering proposals for development in the Borough. The policy applies to all development, including residential development, and addresses all of the points suggested in the objectors' alternative text. No modification is therefore required.

Recommendations

- 6.42. The Plan be modified by the deletion of Policy 110.T
- 6.43. The final sentence of paragraph 6.28 be deleted and the PIC to this final sentence (as set out on page 10 of CD7 with reference to the supporting text for Policy 110.T) be modified so that it starts as a new sentence with the words, 'The level of contribution...'
- 6.44. The supporting text be modified by the deletion of all references to small-scale development, single dwellings and transport statements, and by the deletion of the fourth sentence of paragraph 6.28 which refers to contributions in lieu of a transport statement for small-scale residential development.
- 6.45. No other modification be made to the Plan in response to these objections.

Policy 111.T: Business, Leisure and Retail Development

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *whether the policy should require compliance with national parking standards in PPG13*
- *clarity of the policy*

Inspector's Considerations and Conclusions

6.46. Policy 111.T requires that proposals for business, leisure or 'development' accords with the adopted Hampshire Parking Standards and is supported by a Green Travel Plan. Reference to 'retail or other commercial' development has been deleted in the Second Deposit Draft policy. It is not clear why retail development has been deleted from the policy, nor why business and leisure uses have been singled out in the way they have. Generally the policy is badly worded and repeats the provisions of Policy 112.T, which refers to the impact of all development on meeting the RTRA target. As with policy 110.T, I recommend that Policy 111.T should be deleted in the interests of producing a more concise and less repetitive Plan. Policy 116.T and its supporting text already deal with development complying with the parking standards and as such there is little merit in repeating this requirement in this policy. The second issue would also be resolved by deleting the policy.

Recommendations

- 6.47. The Plan be modified by the deletion of Policy 111.T and the supporting text.
- 6.48. No other modification be made to the Plan in response to these objections.

Policy 112.T: Business, Leisure and Retail Development

Objections

See Appendix A for the list of objections on this matter

Main Issue

• whether the policy is unduly restrictive and should allow development where there is an identified need

Inspector's Considerations and Conclusions

- 6.49. This policy seeks to control development in the interests of meeting the RTRA target. Development which generates traffic over and above the levels permitted by the target would only be allowed in exceptional circumstances and would be subject to the provision of contributions towards LTP or other proposals.
- 6.50. The Council suggests in EBC200 that criterion (i) should be redrafted to take account of the need for a particular development in line with the text suggested by the objector. This change would resolve the issue and I recommend accordingly.

Recommendation

- 6.51. Criterion (i) of Policy 112.T be modified so that it reads, 'only be permitted if the Council is satisfied that there is a proven need for the development in the location proposed, and'.

Policies 114.T and 115.T: Green Travel Plans

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *justification for requiring submission of Green Travel Plans*
- *whether Green Travel Plans should not be required in conjunction with residential development*
- *whether Policy 115.T is superfluous*

Inspector's Considerations and Conclusions

- 6.52. In accordance with Policy 114.T, all development over the size threshold set down in Table B of the Hampshire Parking Strategy and Standards would be required to implement a Green Travel Plan (GTP). Policy 115.T requires all development that falls below the Table B threshold to submit a GTP. The PIC set out on page 10 of CD7 amends Policy 115.T so that GTPs are no longer required for smaller developments in every instance.
- 6.53. With regard to the first issue, in accordance with the amended policy in the Second Deposit Draft, the requirement to submit a GTP with a planning application has been dropped in favour of a commitment by the developer to produce and implement a GTP. I consider that this addresses the related objection.
- 6.54. Turning to the second issue, there is nothing in national guidance that prevents local authorities from requiring a GTP in conjunction with residential development, but the guidance in PPG13, paragraphs 87 to 91 is directed towards employers and organisations. While it is possible to require a developer to set up a residents' organisation to implement a GTP in the longer term, the practicalities of arranging this and monitoring its implementation would be difficult. I agree with the objectors that a financial contribution towards public transport provision is a more practical solution. It would be better to exclude residential development from Policy 114.T, but to state in the supporting text that while residential developments of over 50 dwellings would not be required to produce a formal GTP, a package should be offered to the occupants that would encourage sustainable and environmentally-friendly forms of travel. Such packages could include bus, walking and cycling routes, bus timetables and vouchers, and information and guidance on the availability of car-sharing schemes. I invite the Council to consider this approach and recommend that reference in the policy to 'residential' be deleted.
- 6.55. In respect of the third issue, I agree with the points made by the objectors that Policy 115.T is superfluous since it is only an extension of the approach referred to in Policy 114.T. However, an approach based

purely on the size threshold in Table B of the Hampshire Parking Strategy as referred to in Policy 114.T would be inflexible and a rather blunt instrument; it would not cover developments which, although smaller, could have a significant traffic impact. As such the text of Policy 115.T, including the word 'may' in the first sentence proposed by the Council in EBC227, should be retained as supporting text to Policy 114.T. This will provide necessary flexibility in the application of the size thresholds referred to in Policy 114.T. The word 'require' should be retained in the text of the paragraph because GTPs are not planning obligations and it is appropriate for local authorities to require developers to submit them in support of an application, without the need for negotiation. It will be up to the local authority to negotiate with developers to enter into planning obligations, based upon the submitted GTP.

Recommendations

- 6.56. Policy 114.T be modified by deleting the reference to 'residential'.
- 6.57. The Council should consider adding additional supporting text which invites developers of 50 or more dwellings to consider the provision of informal Green Travel Plans.
- 6.58. The Plan be modified by deleting Policy 115.T and including it as supporting text to Policy 114.T. Also, the word 'may' should be inserted into the first line of the new paragraph in accordance with the Council's suggested change in EBC227.
- 6.59. No other modification be made to the Plan in response to these objections.

Paragraph 6.30: Parking

Objections

See Appendix A for the list of objections on this matter

Main Issue

- *whether the parking strategy should be more flexible with regard to the nature of the development, in particular bulky food shopping*

Inspector's Considerations and Conclusions

- 6.60. Paragraph 6.30 advises that the amount of parking allowed in conjunction with development will be assessed according to the accessibility of the development by modes other than the car.
- 6.61. With regard to the main issue, PPG13 Annex D sets out maximum standards and paragraph 53 states that local planning authorities can adopt more rigorous standards. Paragraph 54 goes on to state that for individual developments, applicants can demonstrate through a transport assessment that a higher level of parking is needed. The Plan should therefore refer to transport assessments in order that a case for greater parking provision than that allowed in the County Parking Standards could be properly substantiated.
- 6.62. Nonetheless, it is reasonable to expect that the amount of parking at foodstores in town centres and edge-of-centre locations would reflect the ability of a relatively high proportion of customers to arrive by means other than the car. Therefore parking provision in accessible areas in the Borough will inevitably be more restricted than parking provision in more remote out-of-town locations. Policy 116.T makes clear that the Council will take into account the economic viability of the Borough's towns and villages in applying the car parking standards, but I do not accept that restricting parking in accessible locations is either harmful to business needs or economic vitality more generally, nor do I accept that the County's parking standards are too onerous in their approach to foodstore or bulky good retailers.

Recommendations

- 6.63. Paragraph 6.30 of the Plan be modified by adding a sentence which states that the Council may consider a higher level of parking provision than the standards permit, where the applicant has demonstrated through a transport assessment that a higher level of parking is needed.
- 6.64. No other modification be made to the Plan in response to the objection.

Paragraph 6.33 & Plan 20: Accessibility Contours

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *need to take account of barriers to movement in determining accessibility*
- *whether the grid square approach is realistic*
- *need to acknowledge that accessibility data will change as improvements are made to public transport provision in the Borough*

Inspector's Considerations and Conclusions

- 6.65. Paragraph 6.33 sets out a list of parameters used to determine the accessibility of different areas of the Borough. Map 20 displays the accessibility of different parts of the Borough using the parameters.
- 6.66. With regard to the first and second issues, I accept the Council's explanation that it is not practical to model every pedestrian route, barrier or gradient. The parameters set out in paragraph 6.33 have been used to generate a broad assessment of accessibility in the Borough and provide a basis for the Council's parking strategy. Paragraph 6.32 makes clear that the map and parameters will only be used for assessment purposes.
- 6.67. Turning to the second issue, the Council has agreed to delete Plan 20 from the Plan and add a PIC to paragraph 6.32 to the effect that it will regularly update the accessibility profile. I consider that this addresses the related objections.

Recommendations

- 6.68. The Plan be modified by deleting Plan 20 and adding additional text to paragraph 6.32 in accordance with the PIC on page 11 of CD7.
- 6.69. No other modification be made to the Plan in response to these objections.

Policies 116.T & 117.T: Parking Standards

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *whether paragraphs 6.35 and 6.36 place additional, unnecessary restrictions on parking levels in new development*
- *whether the policy should allow for additional parking provision where it will serve the wider needs of the town centre*
- *whether the PIC should be reworded to make its intent clearer*
- *whether parking provision should not be restricted until public transport is improved*
- *whether the accessibility rating indicated by Map 20 is too blunt an instrument for determining parking levels in individual proposals*

Inspector's Considerations and Conclusions

- 6.70. Policy 116.T and the supporting text in paragraphs 6.35 and 6.36 set out the Council's approach to determining the levels of parking provision in new developments. This is based upon the accessibility of the location to public transport. A PIC has been proposed which states that additional parking will be allowed, above the maximum standards, where the parking is to serve the needs of the town centre as a whole.
- 6.71. With regard to the first issue, the table and explanatory text provide useful information for applicants and a necessary context in which to interpret Policy 116.T. As the Council has indicated in EBC241, this is the approach in the approved Hampshire Parking Strategy and therefore questions about the legitimacy of the restrictive nature of this policy are unfounded. PPG13, paragraph 53 states that local authorities may adopt more rigorous standards than those set down in Annex D of the PPG.
- 6.72. Turning to the second and third issues, the Council has introduced a PIC relating to parking that serves the wider needs of a town centre. I consider that this addresses the related objection; however, I agree with the objector to the PIC that it should reflect the advice in PPG13. On this basis and to simplify the references to centres in accordance with my recommendations in Chapter 8, I recommend a modified wording.
- 6.73. In respect of the fourth issue, national planning policy on parking provision, as set out in PPG13, is to apply maximum parking standards. This is reflected in both the Hampshire Parking Strategy and in Policy 116.T. While a level of co-ordination between public transport improvements and restricting parking provision is highly desirable, the priority in this land use plan should be to restrict parking in order that

efforts to secure improved public transport services are not undermined.

- 6.74. With regard to the fifth issue, the Council has agreed to delete Map 20. I refer to my considerations regarding Plan 20 and Paragraph 6.33 of the Plan above. No modification of the Plan is needed in response to this objection.

Recommendations

- 6.75. Policy 116.T be modified in accordance with the PIC on page 11 of CD7, except that the final sentence should read, 'When considering the level of parking appropriate for a retail or leisure development in or on the edge of a centre, the Council may consider parking provision additional to the relevant maximum standards but only where it can be clearly demonstrated that it will serve the centre as a whole and assist the vitality and economic viability of the centre.'
- 6.76. No other modification be made to the Plan in response to the objections.

TEXC: Omissions from the Transport Chapter

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *omission of a general policy dealing with transport requirements that all development proposals must meet*
- *omission of a general policy setting out when transport assessments and travel plans will be required*
- *omission of a policy to control commuter parking*
- *omission of reference to pedestrian improvements in Dodwell Lane*
- *objection in principle to any developments which compromise the integrity of the existing footpath network*
- *omission of a specific policy relating to Southampton Airport*
- *omission of commitment to improve parking provision at Coronation Parade, Hamble and Hamble village*
- *omission of specific policies for public transport, cycling and walking*
- *omission of explicit policies based upon existing centres with high public transport accessibility*

Inspector's Considerations and Conclusions

- 6.77. With regard to the first issue, the Council has introduced Policy 109.T in the Second Deposit Draft. This is a general policy which includes accessibility criteria for all new development. I consider that this resolves the related objection.
- 6.78. Policy 109.T, criterion (iv) sets out the circumstances where a transport assessment will be required. This deals adequately with the objection relating to the second issue.
- 6.79. I understand that the control of commuter parking is being dealt with as part of the management regime for Bishopstoke Road car park. The direct control of on-street parking is an operational matter outside the scope of a local plan and in my view it is more appropriately dealt with through the LTP.
- 6.80. With regard to the fourth issue, pedestrian improvements and traffic calming proposals for Dodwell Lane are already included in Policy 102.T. No additional reference is necessary.
- 6.81. Policy 109.T includes a criterion which requires that all new development must include measures that minimize its impact on the existing transport network. This would include the Borough's footpath network. No additional reference to protecting the footpath network is required.

- 6.82. In respect of the sixth issue, Policy T10 of the HCSP states that access to Southampton International Airport will be maintained and improved. The Transport Chapter of the Plan responds to this and includes specific airport-related policies including 104.T which deals with parking at Southampton International Airport rail interchange, and Policy 106.T, which makes reference to the Airport Surface Access Strategy. Policy 130.E in the Economy Chapter deals specifically with the Southampton International Airport Special Policy Area which recognises the environmental and economic implications for the economy and environment of the Borough. There are no other proposals which relate specifically to the future of the Airport. For these reasons and because the Plan should be read as a whole I do not consider that there is a need for one, all-encompassing airport policy in the Transport Chapter.
- 6.83. I understand that there are no plans to improve car parking at Coronation Parade or in Hamble village; however, there is an opportunity for the objector to bring any concerns to the attention of the Local Area Committee. No modification of the Plan is appropriate in response to the seventh issue.
- 6.84. Policy 109.T, criterion (i) refers directly to walking, cycling and public transport accessibility in new development. In addition, Policies 101.T and 102.T list proposals for improvements to the footpath and cycle path network and public transport infrastructure in the Borough. I am satisfied that there is adequate coverage of pedestrian, cycle and public transport matters in the Plan.
- 6.85. In respect of the ninth issue, Eastleigh is the only town in the Borough with high public transport accessibility. The main aims of the Plan are set down in paragraphs 18 to 21 of the Introduction. In particular, paragraph 21 makes clear that the majority of development will be concentrated in Eastleigh town in order to take advantage of, and enhance existing public transport services. Paragraph 4.8 also states that improvements between Eastleigh town centre and its residential catchment form an important part of the Council's strategy. I am satisfied that in the context of the Borough the approach taken in the wider Plan, and in particular the use of public transport accessibility levels in determining the most accessible locations for new development, comply with the main objectives in paragraph 4 of PPG13.

Recommendation

- 6.86. No modification be made to the Plan in response to these objections.

CHAPTER 7

THE ECONOMY

Paragraphs 7.1, 7.3 and 7.4: Economic Objectives & Introductory Text

Overall Employment Land Provision

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *compatibility with the sub-regional and regional policies*
- *whether the overall provision of employment land is adequate*
- *the risk factors associated with implementation of the CLLR*
- *need for employment provision within an MDA*
- *whether range of sites and flexibility to meet the needs of particular businesses/industries is adequate*
- *whether alternative provision at Stoneham should be allocated*

Inspector's Considerations and Conclusions

- 7.1. The introductory paragraphs of the Employment Chapter of the Plan set out the Council's overall strategy for employment land provision. The aim is to provide a reasonable choice of sites without promoting excessive development which would undermine the quality of the environment. It is stated that enough employment land has already been identified within the wider Southampton sub-region and within Eastleigh Borough to meet the future growth in the labour force over the Plan period and to replace employment land which is to be redeveloped for other purposes. However, paragraph 7.3 acknowledges that this relies on bringing forward the land north of the airport (the Northern Business Park (NBP)), which is dependent on the construction of the Chickenhall Lane Link Road. The Plan's overall strategy is supported by two Core Documents, Employment Land Location Strategy (CD18) and Employment Land Provision (CD19).
- 7.2. A number of concerns are raised about potential conflict with higher level policy, and whether the overall supply would be adequate, bearing in mind the needs of particular sectors/firms, the locational spread of the allocations, and other matters. So far as policy compatibility is concerned, I find nothing to indicate that the employment strategy has not paid full regard to the sustainable development framework set by RPG9 and the HCSP. In particular, I consider that the focus of development on the NBP, Barton Park and Eastleigh town centre provides the appropriate land use response to the PAER identified in RPG9, by addressing the particular aims set out in Policy RE7 of the RPG. It would maximise the area's economic potential, taking account of the accessibility advantages of the location, and is properly integrated with proposals for new housing and mixed use development in and around the

town centre, including the provision of affordable housing. So far as compatibility with the Plan's housing strategy is concerned, I can find no evidence to support the objection that there is some incompatibility in principle.

- 7.3. The reference to land in the wider Southampton sub-region gives rise to concern about whether the Plan would promote out-commuting, but in my view the statement should not be taken as more than an acknowledgement of the inter-dependency of the adjacent districts for employment and a wide range of other needs. Southampton City Centre is and will remain a prime focus for employment in the sub-region and the Plan as a whole recognises the implications of the sub-regional linkages in an appropriate way.
- 7.4. The Council's assessment of overall need for employment land is based on an understanding of both labour force growth and development rate trends and is not reliant solely on any one method of prediction. In my view its approach is fundamentally sound, bearing in mind that the relationship between economic growth, job growth and land take is not a precise science. Its strategy balances the market trends and other factors with the need for urban renaissance, including more efficient use of land, and takes account of the needs expressed by local businesses and those in the wider sub-region, the views of commercial agents and of the other partners in economic development. I consider that this is the correct approach and having regard to CD19 and all of the other evidence, I find it difficult to disagree with the Council that there is more than enough employment land in Eastleigh to meet needs to 2011, once the NBP becomes available. The total provision identified in the 2003 survey by Hampshire County Council is over 200,000sq m, and an additional 19,000sq m has been identified since that date. Notwithstanding the debate about whether some individual sites should have been excluded from the calculations, it appears that there would still be more than sufficient capacity to meet need arising from projected growth in the labour force, and about sufficient to allow for a continuation of past development rates. In addition, considerable flexibility arises from the proposed redevelopment of Barton Park which is likely to yield increased employment densities.
- 7.5. It is however, generally acknowledged that there will be a shortage of employment land within the Borough (although not necessarily in the sub-region) if the NBP does not come forward. The full development of the NBP is dependant on the completion of the Chickenhall Lane Link Road (CLLR), to which Policy 101.T of the Plan refers. The CLLR is being progressed as the County Council's top priority Major Scheme, reflecting its identification in the HCSP and the Local Transport Plan. At the time of writing, funding from central government is being sought by the County Council as part of an integrated package of funding that will have support from the major private sector partners involved in the NBP and associated developments. Detailed environmental and other preparatory work is on-going. Although the nature conservation designations in the Itchen Valley are very important considerations, there is nothing to indicate that any requirements in this regard cannot be satisfied in the

detailed design of the scheme. It appears likely that all of the required land will be assembled without the need for compulsory purchase, but even if not, preparatory work to minimise the impact of any delay is being undertaken. If the funding bid is successful it is likely that implementation of the scheme will commence in 2007/08, with a programmed construction period of two years.

- 7.6. The balance of the evidence leads me to conclude that the CLLR is likely to be implemented within the Plan period, and it is important that the focus should remain on the delivery of the CLLR since it will have considerable benefits for the Borough and the wider area, not just in employment terms. Even if the entire scheme is not completed by 2011, there is scope for phased delivery of the employment lands that will be served by this route and I refer to this matter in more detail under Policy 130.E. Also, there is capacity available in the interim period for about 100,000sq m of floorspace on sites that would provide for a range of employment needs, so there is no reason to seek additional employment sites as a stop-gap measure.
- 7.7. Overall, I consider that the wider employment strategy is not likely to be put at risk by its dependence on the completion of the CLLR. And it is also vital to the urban renaissance of the Borough that the supporting development on the NBP and the adjacent railway and Pirelli sites is not threatened by allocation of competing sites elsewhere in the Borough. Although it is likely that these developments will make only a limited financial contribution towards the cost of the CLLR, it will nonetheless be an important part of the overall funding package.
- 7.8. As part of the case for a Major Development Area (MDA), objectors promote the development of a new employment area to the south-east of Eastleigh. Policy MDA3 of the HCSP refers to an employment allocation of about 35ha within the MDA, while making clear that the precise requirement would need to be subject to further study. However, as set out in detail in the Housing Chapter of this report, sustainability considerations lead me to conclude that an MDA should not be released in this Plan period. And for the reasons set out above, I am satisfied that the overall provision of employment land for the period up to 2011 would be sufficient to meet forecast needs, including those arising from the housing growth in the Borough that will substitute (in housing numbers terms) for the MDA. I can find no evidence that there would be a shortage of employment land by the non-allocation of the 35ha MDA element, and the employment objectives that would have been served by an MDA will be amply fulfilled by the integrated housing and employment strategy that focuses new development around Eastleigh town centre and other existing centres of employment.
- 7.9. The redevelopment of employment sites for housing that has taken place and is expected to continue gives rise to concerns that the Council may have underestimated the need for new employment sites. But I am satisfied that the overall assessment has taken full account of these losses in calculating the net future supply position, except in the case of the Pirelli site at Leigh Road. In that particular case, as the Council

reasonably asserts, it would be unrealistic to provide for an equally low density of jobs per hectare. Overall, the Plan's strategy is likely to produce a more people-intensive, higher-density use of employment land than in the past, for example, through the redevelopment of Barton Park, and I consider that this is in keeping both with local economic trends and with national policy objectives to make better use of land. There are issues that may need to be addressed in the forthcoming review of the sub-regional strategy for the period post-2011, concerning the implications of the scale of loss of employment land to other uses in other parts of the sub-region, but in my view these go considerably beyond the scope of this Plan and it would not be appropriate to pre-judge the outcome of that process.

- 7.10. The identified employment sites total 29 No and include a range of locations, sizes and suitability for uses from Classes B1 to B8. They include a well-balanced mix of greenfield and brownfield sites. Although objectors contend that particular needs will not be met, especially for the transport and marine industries, in my view the Plan makes proper provision for a variety of needs. Clearly the NBP will have very significant advantages due to its location in the transportation network and will be capable of meeting a range of needs, including those of the transport/distribution industry. Policy 140.E (as recommended for modification) allows flexibility to consider the expansion needs of individual boatyards, while balancing environmental considerations. In two particular cases, I recommend that additional land be allocated for expansion of existing boatyards.¹ A site for non-conforming uses is allocated at Knowle Lane (Policy 132.E). So far as employment needs in the countryside are concerned, the Plan as a whole recognises these needs while seeking to direct most new development to urban areas. I deal with those matters in more detail in Chapter 1 of this report but am satisfied that the right balance is provided by the Plan's policy framework. Overall, I consider that CD19 demonstrates that there is a range of available sites that is likely to be sufficient to meet needs during the Plan period.
- 7.11. Finally, in regard to the objection proposing an employment allocation on land to the south-west of the M27 at Stoneham, I deal with the related countryside issues under Policy 1.CO in Chapter 1 of this report. As set out there, the proposal would be in conflict with the County Council's own policy to protect strategic gaps. I find no adequate justification for this proposal and in the light of the conclusions above, there is no need for an additional allocation of employment land.

Recommendation

- 7.12. No modification be made to the Plan in response to these objections.

¹ See Policy 24.NC which deals with the expansion of Mercury Marina, and Policy 140.E concerning the Riverside Boatyard.

Policy 120.E: Start Up Businesses

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *whether site at Doncaster Drove, Eastleigh should be allocated in the policy*
- *justification for contributions towards training costs*

Inspector's Considerations and Conclusions

- 7.13. Policy 120.E states that contributions will be sought from new employment development towards the provision of start-up premises and training. CD20 (Section 106 Agreements for Training Measures and "Start-Up" Business Units) sets out a detailed justification of the Council's approach.
- 7.14. With regard to the first issue, the land referred to by the objector lies outside the designated urban edge. In the absence of any evidence to justify the inclusion of this site within the urban edge I do not recommend any change to the policy.
- 7.15. Turning to the second issue, the related objections are primarily concerned with the relevance of the proposed planning obligations to planning and whether it would be reasonable to provide start-up units and training in association with new employment development. The objections were made to the First Deposit Draft and changes have subsequently been made to the supporting text and policy which clarify the scope and intent of the policy.
- 7.16. In my view PPS1 (paragraph 27) and RPG9 (Policies RE2 and RE10) provide a national and regional policy context which supports this policy and as such its relevance to planning is not in doubt. The Council's Background Paper (CD20) states that there is a need for start-up units in Eastleigh which is not being met by the commercial development sector and that there are significant skills gaps in the local economy. Providing training in association with new employment development will improve employment opportunities near to where people live in the Borough. Reducing the need to travel and promoting balanced economic growth are objectives set out at the start of the Chapter and in PPG13 (Transport). I am satisfied that seeking such planning obligations is appropriate and relevant to planning.
- 7.17. The supporting text of the policy in Paragraph 7.7 states that the necessity for contributions will be assessed on a case by case basis, taking account of the scale and effect of the development. Any planning obligations will be directly linked to the development proposal and will only be sought where it is appropriate to do so. As such there is no

question that the policy is seeking to remedy existing deficiencies. Paragraph 21.1 of CD20 also reiterates that planning obligations will be negotiated on a case by case basis. Any training provision sought in conjunction with new employment development would have to be related to the additional demands placed upon the existing infrastructure as a result of the new development. The policy and CD20 state that planning obligations will only be sought in conjunction with employment developments. In my view, the policy would allow each proposal to be judged on its merits and it accords with the principles underpinning Circular 1/97. Therefore no modification is necessary.

Recommendation

7.18. No modification be made to the Plan in response to these objections.

Policy 121.E: Making the Best Use of Land

Objections

See Appendix A for the list of objections on this matter

Main Issue

- *justification for constraint on landscaped areas*

Inspector's Considerations and Conclusions

- 7.19. In accordance with Policy 121.E, planning permission would be refused if new employment development would not make intensive use of the site. A PIC is proposed to amend the policy so that it cross-refers to Policy 60.BE, thereby ensuring that the context of the site is taken into account.
- 7.20. Policy 60.BE in the Urban Renaissance and Built Environment Chapter is a general policy which deals with the design and layout of all development proposals. Amongst other matters it seeks the effective use of land by development at appropriate densities, and paragraph 4.25 sets the context for generally increased densities. Policy 121.E and its supporting text overlap with Policy 60.BE but are not fully consistent with it, and in my view their deletion would improve the clarity and conciseness of the Plan while not fettering the Council's ability to seek more effective use of urban land. The deletion of Policy 121.E and reliance instead on Policy 60.BE would overcome the related objections and I recommend accordingly.

Recommendations

- 7.21. Policy 121.E and its supporting text in paragraph 7.10 be deleted from the Plan.
- 7.22. No other modification be made to the Plan in response to these objections.

Policy 122.E: Mixed Use & Office Development

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *compatibility with PPG6 (now PPS6)*
- *whether need for leisure development should be considered over the lifetime of the Plan, not on a case by case basis*
- *whether policy should apply to the whole Borough*
- *need for a criteria-based policy to deal with sites that become available post adoption*
- *need for greater flexibility about the mix of uses*
- *compatibility with Policy Q5 of RPG9 re assessment of need for office development*
- *need for provision for day-care facilities and pre-school education*

Inspector's Considerations and Conclusions

- 7.23. Policy 122.E requires windfall sites in Eastleigh town centre and on edge-of-centre sites to be developed for a mix of high density uses.
- 7.24. With regard to the first three issues, the supporting text in paragraphs 7.11 to 7.13 confuse design issues (density and scale) with locational matters (the sequential approach). This is reflected in Policy 122.E which makes no reference to the sequential approach, even though the supporting text in paragraph 7.11 makes policy statements in regard to it. Also, the sequential approach referred to by the Council in paragraph 7.11 is contrary to national guidance because it seeks to put sites on the edge of Eastleigh town centre before district centre sites. I have recommended that the Council adopt the definition used in national guidance in my conclusions on Policy 150.TC and 151.TC in Chapter 8. Policy 151.TC deals with retail, leisure and other town centre uses and as such there is no need for separate policies to deal specifically with the sequential approach towards office development; other policies in Chapter 8 deal with proposals that may come forward in the Borough's centres. In the interests of a more concise plan, Policy 122.E and its supporting text should be deleted. As a consequence, Policies 124.E and 125.E and their supporting text should also be deleted. If, in the light of my recommendations for Chapter 8 of the Plan, the Council still feels that it is necessary to retain some of the content of paragraphs 7.11-7.13, suitably re-worded text that accords with PPS6's advice on the sequential approach could be added to Chapter 8, and, if necessary, a cross-reference to it inserted in Chapter 7.
- 7.25. Turning to the fourth issue, Policy 151.TC is a criteria-based policy which seeks to control major development, including office and leisure uses, in

out-of-centre locations. In accordance with its criteria, applicants would have to demonstrate that there were no available sites in the town centre that could accommodate the development, and that reasonable flexibility had been applied to the format and design of the proposal. On this basis I consider that the related objection is resolved.

- 7.26. In respect of the fifth issue, mixed use, high-density development should be focused in town centres, near to major public transport interchanges, in accordance with national planning policy guidance. However, the viability of mixed use development should also be taken into consideration and therefore it may not always be appropriate to insist on mixed use development due to site constraints. I agree that Policy 122.E was too inflexible in this regard, but the related objection is overcome by my recommendation that the policy be deleted.
- 7.27. With regard to the sixth issue, the Council's Background Paper on Employment Land Provision (CD19) shows that there is a need for office development in the Borough. Nonetheless, I agree with the Council that there is no firm guidance in RPG9, or anywhere else, on local needs assessments for office developments. In any event, the objection is resolved by my recommendation to delete Policy 122.E and rely instead on Policy 151.TC.
- 7.28. On the final issue, as the Council has stated in its response to the objection, childcare contributions can be sought through Policy 213.IN. There is no need to complicate the Plan with this level of detail.

Recommendations

- 7.29. The Plan be modified by the deletion of Policy 122.E and its supporting text, and as a consequence, Policies 124.E and 125.E and their supporting text be deleted also.
- 7.30. If, in the light of my recommendations for Chapter 8 of the Plan, the Council still feels that it is necessary to retain some of the content of paragraphs 7.11-7.13, suitably re-worded text that accords with PPS6's advice on the sequential approach could be added to Chapter 8, and, if necessary, a cross-reference to it inserted in Chapter 7.
- 7.31. No other modification be made to the Plan in response to these objections.

Policy 124.E: Major Office Development in Chandler's Ford and Hedge End

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *need to take account of the uncertainty surrounding the development of a railway station at Chandler's Ford*
- *whether policy should allow for conversions of existing buildings in district centres to office use*
- *meaning of 'property market area'*

Inspector's Considerations and Conclusions

- 7.32. In accordance with Policy 124.E, major office development would be permitted in the district centres of Chandler's Ford (Fryern Centre and Central Precinct) and Hedge End if a sequential appraisal reveals that there are no available sites in or on the edge of Eastleigh town centre or in another large town or city centre within the same property market area.
- 7.33. With regard to the first issue, the related objection has been overtaken by events since the Chandler's Ford passenger rail link and station re-opened in May 2003.
- 7.34. Turning to the second issue, the scale of the proposed development, not the fact that a building is proposed to be converted, should form the basis for the sequential assessment. The amended policy in the Second Deposit Draft refers to major office development, defined in paragraph 7.16 as 500sq m or more. Policy 151.TC applies only to major development, albeit that this is only defined in paragraph 8.34 in relation to retail and leisure proposals. Given my recommendation under Policy 122.E above that Policy 151.TC should also be applied to office development, and as a consequence that Policies 124.E and 125.E should be deleted, the definition of major office development in paragraph 7.16 should be included in the supporting text to Policy 151.TC. I recommend accordingly.
- 7.35. In respect of the third issue, given the Borough's location on the edge of the City of Southampton, the Council considers that it must take account of the availability of sites in Southampton City Centre and other nearby higher-order centres, before allowing a major office development on an out-of-centre site in the Borough. This complies with RPG9, Policy Q5 which states that the region's larger town centres should be the focus for

major office development. I agree with this approach which is pragmatic and responsible. To clarify the issue further I recommend that the supporting text for Policy 151.TC in paragraph 8.35 should state that the sequential approach study should take account of town and city centres beyond the Borough boundary, where it is appropriate to do so. I agree with the objector that the reference to 'property market area' in the policy is unclear. However, the objection would be resolved by the deletion of the policy in accordance with my recommendation above.

Recommendations

- 7.36. Paragraph 8.34 of the Plan be modified by including the definition of major office development as set out in paragraph 7.16 of the Plan.
- 7.37. Paragraph 8.35 of the Plan be modified by the addition of the following sentence:-
'The sequential approach study should take account of town and city centres beyond the Borough boundary, where it is appropriate to do so.'
- 7.38. No other modification be made to the Plan in response to these objections.

Policy 125.E: Out-of-Centre Office Development

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *whether policy is too restrictive and should allow for conversions of existing buildings in district centres to office use*
- *whether policy should make provision for 35ha of employment land in association with an MDA*
- *meaning of 'property market area'*
- *omission of assessment of need for office development*

Inspector's Considerations and Conclusions

- 7.39. Policy 125.E seeks to control major office development in local centres and out-of-centre locations by requiring a test of need for the development and a sequential assessment of potential sites in higher-order centres.
- 7.40. With regard to the first issue, I recommend under Policy 122.E above that Policy 125.E be deleted and that Policy 151.TC should be used in its place. Policy 151.TC also restricts out-of-centre office development. This approach accords with national planning policy in PPS6. No modification is required in response to the related objection.
- 7.41. Turning to the second issue, I have concluded in the Housing Chapter above that there is no need to identify an MDA for the Plan period. Therefore a specific employment allocation related to the MDA would not be appropriate. As I have concluded above in regard to the employment objectives, the overall provision for new employment land in the Plan period is adequate.
- 7.42. In respect of the third issue, the objection would be resolved by the deletion of the policy in accordance with my recommendation above.
- 7.43. With regard to the final issue, I refer to my considerations under Policy 122.E above.

Recommendation

- 7.44. No modification be made to the Plan in response to these objections.

Paragraph 7.19: General Business and Industrial Development

Objections

See Appendix A for the list of objections on this matter

Main Issue

• whether a more complete definition of appropriate uses for employment is needed

Inspector's Considerations and Conclusions

- 7.45. Paragraph 7.19 forms part of the supporting text to Policies 126.E to 129.E which are employment land allocations. The paragraph defines General Business and Industrial Development as Use Classes B1, B2 and B8. The following paragraph (7.20) qualifies this definition by stating that in future, B1(a) office development will not be permitted on out-of-centre sites without having satisfied a test of need and a sequential search.
- 7.46. The definition used in the supporting text is based upon the Use Classes Order. It would not be appropriate to list every type of use that would be acceptable on employment sites in the way suggested by the objector. In respect of warehouse clubs, I refer to my considerations and recommendation under Policy 152.TC which deal with this issue. No modification is necessary in response to the related objection.

Recommendation

- 7.47. No modification be made to the Plan in response to this objection.

Policy 126.E: Fire and Rescue Service HQ

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *relative status of policy and SPG in the determination of planning applications*
- *clarity of the policy*

Inspector's Considerations and Conclusions

- 7.48. Policy 126.E is a proposal to develop the Hampshire Fire and Rescue HQ site in Eastleigh for Class B1(b) and B1(c) uses. The policy contains two criteria which state that development must comply with a development brief and must include a proportion of start-up and move-on units. The policy also clarifies that B1(a) office use will only be permitted on the part of the site fronting Leigh Road.
- 7.49. The first criterion of the policy requires that any development proposal on the site accords with the development brief. I agree with the objector that this is unacceptable since the factors upon which decisions on planning applications would be made should be set out in the Plan, not in SPG/SPD. The criterion should be deleted and replaced by a sentence in the reasoned justification that refers to the development brief prepared for the site (CD39) and makes clear that this will be a material consideration in the determination of any planning application.
- 7.50. Turning to the second issue, the objection is concerned that the policy does not clearly require compliance with both of the specified criteria. In the light of my recommendation above the policy would in effect have only one criterion and therefore the objection would be resolved.

Recommendations

- 7.51. Policy 126.E be modified by the deletion of the first criterion.
- 7.52. Paragraph 7.21 be modified by the addition of a sentence as follows:-
'A development brief has been prepared to guide the redevelopment of the site. This will form a material consideration in the determination of any planning application on the site.'

Policy 127.E: Railway Works, Eastleigh

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *clarity of the policy*
- *whether the allocation contributes to an unduly concentrated strategy*
- *justification for requiring developer contributions*
- *need for a comprehensive approach to development in and around the Airport*

Inspector's Considerations and Conclusions

- 7.53. Policy 127.E is a criteria-based policy for the development or redevelopment of the Railway Works Special Policy Area in Eastleigh for industrial purposes. A PIC is proposed which splits criterion (iv) of the policy into two separate elements relating to safeguarding the route of the Eastleigh Rail Chord and the protection of the amenity of nearby residential properties.
- 7.54. The amended policy in the Second Deposit Draft makes clear that all of the criteria must be satisfied and I consider that this resolves the objection on the matter. I agree with the Council that the words, 'where appropriate' in criterion (ii) simply mean that requirements will vary according to the planning application. The need for start-up premises will depend on the type of industrial accommodation proposed. This accords with Circular 1/97, paragraph B17 (iii) which states that policies should not be based upon blanket formulations. No modification is required in response to the related objection. The Council has proposed to delete the words, 'if appropriate' from the start of criterion (iv) and add further explanatory text about the Eastleigh Rail Chord to paragraph 7.22 as a PIC. I support this change which addresses the related objection. Therefore no modification is required in response to the first issue.
- 7.55. The matters raised by the second issue form part of my considerations about the overall employment strategy. As I have concluded above, the Plan makes sufficient provision in terms of quantity, range and location of sites for employment needs likely to arise during the Plan period. The redevelopment of the railway works for industrial use is entirely consistent with the overall strategy of urban renaissance and accords with Policy EC2 of the HCSP.
- 7.56. With regard to the third issue, paragraph 7.22 of the Plan makes clear that any development on the site which would generate more road vehicle movements should not occur until the CLLR is completed. As Circular 1/97, Annex B, paragraph B2 advises, planning obligations may enable proposals to go ahead which might otherwise be refused. There is a direct and very specific link between the contribution towards the CLLR

and proposals that come forward under this policy for development or redevelopment of the site, and it is only right that this is clearly indicated in the Plan. However, the wording of criterion (iii) does not adequately reflect the duty that the Circular places upon local authorities to negotiate obligations that are reasonably related in scale and kind to the proposed development. The criterion should be deleted and new wording inserted as a final paragraph in the policy. This should state that contributions will be sought towards the CLLR at an appropriate level commensurate with the scale and nature of the proposed development.

7.57. I deal with the fourth issue under Policies 130.E and 131.E below.

Recommendations

7.58. Policy 127.E and paragraph 7.22 be modified in accordance with the PICs on page 11 of CD7.

7.59. Policy 127.E, criterion (iii) be deleted and replaced by a new paragraph at the end of the policy as follows:-
`Any development which generates an increase in road vehicle movements should not occur until the CLLR is completed as a through route and access is gained from that road, not Campbell Road. Contributions will be sought towards the CLLR at an appropriate level commensurate with the scale and nature of the proposed development`.

7.60. No other modification be made to the Plan in response to these objections.

Policy 128.E: Pirelli Land, Chickenhall Lane, Eastleigh

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *restriction on potential uses*
- *whether the allocation contributes to an unduly concentrated strategy*
- *need for certainty about the CLLR*
- *need for a comprehensive approach to development in and around the airport*

Inspector's Considerations and Conclusions

- 7.61. Policy 128.E indicates that industrial development would be permitted in the Pirelli Land Special Policy Area, subject to certain criteria. The area referred to lies at the southern end of Chickenhall Lane, adjacent to the existing Pirelli works.
- 7.62. One of the objections seeks a wider range of permissible use of the site, to include Class B1(a) Offices, in line with the reference in paragraph 7.19 of the Plan. However, that reference is for the information of the reader and I do not consider that it should be taken as policy guidance for any of the specific employment sites referred to in the Plan. In my view the Pirelli land is not suited to general office use for a number of reasons, including its out-of-centre location, and its close relationship with other Class B2 and B8 uses and a nearby sewage works. Its allocation for industrial use would help to ensure an adequate supply of industrial sites in locations with good access to the road network. Therefore the policy should not be modified as suggested by the objector, but as agreed by the Council at the Inquiry, it would be appropriate to clarify more precisely the range of uses that would be acceptable, and this may include Class B1(b) and B1(c) uses as well as B2 and B8.
- 7.63. The second issue is taken into account above in my consideration of the overall employment provision made by the Plan.
- 7.64. The references to the CLLR in paragraph 7.23 (as amended in the PIC) and in the policy give rise to concerns about, on the one hand, duplication with Policy 101.T and on the other, whether there is sufficient certainty about what is proposed. In my view there is no need to duplicate Policy 101.T (vi) which identifies the CLLR as a major road scheme for implementation during the Plan period. A reading of the Plan as a whole provides reasonable certainty about the proposed timing of the CLLR and the route to be safeguarded. Accordingly, I recommend that the amendment of paragraph 7.23 in the PIC is unnecessary and should not be included in the modified Plan, and I do not consider that there is any need to duplicate the contents of the Proposals Map on the separate Plan 23 as suggested by the Council.

7.65. I deal with the fourth issue under Policies 130.E and 131.E below.

Recommendations

7.66. Policy 128.E be modified by deleting the words 'Industrial development' in the first sentence and replacing them by 'Development for Use Classes B1(b), B1(c), B2 and B8'.

7.67. The proposed modification to paragraph 7.23 as set out in the PIC (CD7) should not be made.

7.68. No other modification be made to the Plan in response to these objections.

Policy 129.E: Wide Lane/Mitchell Way, Eastleigh

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *whether the allocation contributes to an unduly concentrated strategy*
- *need for policy designation on the Proposals Map*

Inspector's Considerations and Conclusions

- 7.69. Policy 129.E states that Class B2 uses will be permitted on the land adjacent to the junction of Wide Lane and Mitchell Way at Southampton Airport, subject to a number of criteria.
- 7.70. The objection concerning the perceived concentration of new employment development around the airport is taken into account above at the commencement of this Chapter.
- 7.71. In response to the other objection, the Council accepts that the proposal should be indicated on the Proposals Map. I concur.

Recommendations

- 7.72. The Proposals Map be modified by the inclusion of the allocation under Policy 129.E.
- 7.73. No other modification be made to the Plan in response to the objections.

Policies 130.E and 131.E: Southampton International Airport Special Policy Area

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *whether the allocations contribute to an unduly concentrated strategy*
- *need for more comprehensive, co-ordinated and up-to-date suite of policies and plans*
- *compatibility with national planning policy on the location of office development*
- *need for protection of nature conservation interests*
- *whether the policies are over-prescriptive and unduly onerous in respect of employment training requirement*
- *status of planning briefs*
- *need to provide for warehouse clubs*

Inspector's Considerations and Conclusions

- 7.74. The amended Policy 130.E in the Second Deposit Draft sets out the criteria that would guide the future development of lands within the Southampton International Airport Special Policy Area, pursuant to the grant of outline planning permission on the site in 1992. In the light of objections that a more comprehensive policy framework for the overall area is required, the Council proposed a number of changes in the PIC document (CD7), including one which clarifies that this policy applies to the Northern Business Park (NBP) only. Policy 131.E, as proposed to be amended in the PIC document, would have also applied only to the NBP, and it sets out criteria for the determination of new applications for outline or full planning permission for development on the site. The PIC document also includes an entirely new policy, intended to deal solely with proposed development within the Southampton International Airport Special Policy Area. Subsequently, the Council reached agreement with BAA on behalf of one of the objectors to a proposed revision of the policies and I have taken the suggested re-wording, as set out in EBC557, together with the response by Network Rail (EBC558) into account.
- 7.75. The objection on the overall distribution of new employment allocations forms part of my consideration of the overall strategy at the commencement of this Chapter.
- 7.76. The concern that the policies for the NBP and the airport need to be more comprehensive, co-ordinated and up-to-date was addressed to some extent by the proposals in the PIC document referred to above. The agreed policies between BAA and the Council, which would replace

Policies 130.E and 131.E, and would amend the new policy for the airport set out in the PIC, resolve BAA's outstanding concerns on these matters. The scope of the policies would remain largely as before but the new NBP policy (Policy x.E as set out in EBC557) includes detailed textual changes to reflect the likely phased implementation of the allocation. It would therefore provide a comprehensive, up-to-date policy framework for the NBP, including the land in different ownerships. In my view it is generally acceptable and the concerns expressed by Network Rail concerning clauses 3 and 5 of the new policy are answered satisfactorily in EBC558. Therefore, I agree that Policies 130.E and 131.E and paragraphs 7.26-7.28 of the Plan should be modified as set out in EBC557, subject to the meaning of the words after the colon in the first sentence of paragraph g. of the reasoned justification being clarified. This may be achieved by removing the colon and replacing it by `i.e.'. Consequential modifications should be made to the Proposals Map as set out in Plan 7 of CD7.

- 7.77. In regard to the proposed new policy for the airport, the suggested amendments set out in EBC557 entail minor changes to the PIC policy and they overcome BAA's concerns about the latter. EBC557 also includes a suggested reasoned justification for the new policy. I consider that the new policy and text are acceptable, and commend them as modifications to the Plan. Consequential modifications should be made to the Proposals Map as set out in Plan 8 of the PIC document, to identify the Airport Special Policy Area.
- 7.78. With regard to the third issue, the new unified policy for the NBP (Policy x.E) entails replacement of criterion (viii) of Policy 131.E by criterion 4. This requires that any Class B1(a) office floorspace would be limited to not more than 50% of the total Class B1, B2 and B8 floorspace on the NBP as a whole or within the individual sections owned by BAA and Network Rail. This change still leaves the fundamental concern raised in the original objection about the justification for an out-of-centre office allocation, having regard to RPG9 and PPS6, to be resolved.
- 7.79. However, as set out under the proposals for Barton Park², I consider that the Plan is based on an adequate assessment of need for additional office floorspace, even though, as the Council rightly acknowledges, there is a need for further guidance in this regard. The NBP is, nonetheless, an out-of-centre location and therefore its allocation for an element of office development requires special justification. I consider that there is sufficient justification, having regard to the extant outline planning permission that would allow office development, and in the light of other factors. Principal amongst these is the NBP's strategic nature and its fundamental importance in assisting the regeneration of Eastleigh³. Office development on the site would contribute to the economic viability of the NBP and therefore would assist in bringing forward the CLLR. And I accept the Council's

² See under Policies 56.BE and 57.BE in Chapter 4 above.

³ See under Overall Employment Land Provision at the commencement of this chapter.

judgement that some office development on the NBP would not undermine efforts to retain and promote Eastleigh town centre's role, given the very limited opportunities available in the latter for office development and the different market likely to be supplied by sites at NBP. The proposed reasoned justification for Policy x.E does not however, explain the context for the office element permitted by criterion 4 and it needs to be provided in the modifications to the Plan.

- 7.80. Regarding the fourth issue, the NBP lies adjacent the cSAC in the Itchen Valley and to an SSSI. Development on the site would therefore be subject to strict requirements for environmental impact assessment. In my view the proposed new Policy x.E acknowledges this matter properly by the inclusion of criterion 17 that sets out the requirements. Therefore I do not consider that any other modification of the Plan is required in response to these objections.
- 7.81. The proposed new composite policy for the NBP would overcome the objection that the Second Deposit Draft policies were unduly detailed and prescriptive and inappropriately tied to the circumstances of a particular planning permission. Having regard to the considerations set out in Policy 120.E above, I do not agree that the reference to contributions to an employment training scheme should be deleted.
- 7.82. The new policy referred to above does not include a reference to the development brief, and the reference to the masterplan does not offend against the principles set out in PPG12 on the content of Plans. On this basis the objection on the sixth issue is overcome.
- 7.83. On the final matter, the appropriate treatment of warehouse clubs is considered elsewhere in this report, under Policy 152.TC.

Recommendations

- 7.84. The Plan be modified by the deletion of Policies 130.E and 131.E and paragraphs 7.26-7.28 and their replacement by the new Policy x.E, the additional policy for the Southampton Airport Special Policy Area, and the new reasoned justification as set out in EBC557, subject to:
- (i) the expansion of the reasoned justification to explain the context for criterion 4 of Policy x.E which permits Class B1(a) office development on the site, and
 - (ii) clarification of the meaning of the words after the colon in the first sentence of paragraph g. of the reasoned justification by removing the colon and replacing it by `i.e' or by some other appropriate correction to the syntax.
- 7.85. The Proposals Map be modified in accordance with Plans 7 and 8 in the PIC document (CD7).
- 7.86. No other modification be made to the Plan in response to these objections.

Policy 132.E: Knowle Lane, Fair Oak

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *need for criterion requiring the protection of nearby SINC*s
- *clarity of policy*

Inspector's Considerations and Conclusions

- 7.87. Policy 132.E sets out criteria for the development of land at Knowle Lane, Fair Oak for the relocation of industrial uses which are currently badly sited or unauthorised on their present sites.
- 7.88. A new criterion relating to the protection of SINCs has been added to the policy in the Second Deposit Draft. The Council acknowledges that the majority of the site already has the benefit of planning permission, although some of these permissions have not been implemented. As such there may be future opportunities to determine new applications taking account of the new criterion. The Council considers that the current permissions will not undermine the nature conservation value of the SINCs and I find no reason to differ. I conclude that no modification is therefore necessary.
- 7.89. The amended policy in the Second Deposit Draft also makes clear that all of the policy criteria must be satisfied. I consider that this amendment resolves the objection about the lack of clarity.

Recommendation

- 7.90. No modification be made to the Plan in response to these objections.

Policy 133.E: Employment Areas

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *whether reference should be made to warehouse clubs*
- *whether Ensign Park should be allocated only for Use Classes B1 and B8*
- *whether there is a conflict with PPG3 and RPG9 regarding redevelopment of sites that are surplus to requirements*

Inspector's Considerations and Conclusions

- 7.91. Policy 133.E permits employment uses on allocated employment sites, provided that the proposal does not conflict with policy on the location of office development.
- 7.92. The issue of warehouse clubs is considered under Policy 152.TC and no further comment is required.
- 7.93. Policy 133.E is a general policy and is not intended to be site-specific. Paragraph 4.43 deals specifically with the land around the BP Oil Premises at Hamble-Le-Rice. PPG12 advises against too many site-specific policies which can lead to inflexible plans that become outdated. No modification is necessary in response to the related objection.
- 7.94. In respect of the third issue, PPG3 advises that planning authorities should review all of their non-housing allocations when reviewing their development plans. RPG9 Policy RE5 states that policies and proposals should result from a review of existing and potential sites. A full review of the Borough's employment sites has been undertaken as part of the Urban Capacity Study (2002) (CD24). The Council refers to land off Ensign Way, Hamble and Botleigh Grange, Hedge End as examples of sites which were re-allocated to housing through the urban capacity study. I consider that there is sufficient justification for retaining the existing employment allocations, although this does not justify the restrictive approach set out in paragraphs 7.31 and 7.32 which does not sit comfortably with Policies 134.E-136.E. In my view the latter accord with national and regional guidance and provide the flexibility to balance the needs of business with the need to make the best use of land more generally. Paragraphs 7.31 and 7.32 should be modified to provide a reasoned justification for the policies that more fully reflects the advice in paragraph 42 of PPG3.

Recommendations

- 7.95. Paragraphs 7.31 and 7.32 of the Plan be modified to reflect more fully

the spirit of the advice in paragraph 42 of PPG3 that a more flexible approach to proposals for redevelopment of existing employment sites or allocations may be appropriate.

7.96. No other modification be made in response to these objections.

Policy 134.E: Employment Areas

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *whether proposals for non-Class B uses should be considered more favourably when employment use is not forthcoming*
- *whether policy is too simplistic and does not protect existing employment sites*

Inspector's Considerations and Conclusions

- 7.97. Policy 134.E is a criteria-based policy which allows the redevelopment or change of use of an existing or allocated employment site for non-Class B uses if the proposal would not prejudice the local employment base and the alternative use would bring amenity and environmental benefits. A PIC is proposed to criterion (i) of the policy so that the impact of the proposal on 'employment numbers' is taken into account.
- 7.98. With regard to both issues, the policy supports the change of use of employment sites to uses other than B1, B2 and B8 once the impact that the loss of the site would have on the local economy has been properly assessed and balanced against the potential benefits of the alternative use. This approach is reasonable and allows each application to be judged on its merits. It is inevitable that some element of subjective judgement would be exercised in applying the policy but I find nothing to suggest that it would be applied inflexibly or would hamper the reasonable diversification of existing businesses within the framework set by national and regional planning policy. It would be wrong for the policy to promote alternative uses in the way suggested by some of the objectors because uses such as retail or offices may not be appropriate in out-of-centre locations where many of the employment sites are located.
- 7.99. However, I agree with one of the objectors in respect of the proposed amendment in the PIC, that the substitution of the term 'employment numbers' for 'employment base' is potentially misleading and unjustified. The wording in the Second Deposit Draft, which makes clear that the effect on the employment base would be measured in terms of the effect on the potential choice of employment in the local area or on the range and variety of sites and premises is in my view clear and reasonable and is consistent with the terminology used in CD18 and CD19. I suggest that the PIC to Policy 134.E should not be included in the Plan.

Recommendation

- 7.100. The PIC to Policy 134.E, criterion (i) should not be incorporated into the Plan and no other modification be made to the Plan in response these objections.

Policy 135.E: Industrial Sites Close to Eastleigh Town Centre

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *clarity of policy*
- *whether proposals for the loss of employment sites should be accompanied by an assessment*
- *whether the policy provides certainty*

Inspector's Considerations and Conclusions

- 7.101. Policy 135.E sets out criteria to guide applications for the redevelopment of industrial sites close to Eastleigh town centre for high-density, mixed use development (office/residential). The criteria cover matters such as the protection of the local employment base and conformity with Barton Park policies. The wording of criterion (iv) is clarified by a PIC on page 13 of CD7.
- 7.102. The amended text in the Second Deposit Draft clarifies that all of the criteria must be satisfied. Also, the PIC clarifies the cross-references to the Barton Park policies in criterion (iv). On this basis the objections about clarity are resolved.
- 7.103. Turning to the second issue, I accept the Council's explanation that the redevelopment of industrial sites close to Eastleigh town centre for higher density, people-intensive uses will assist in promoting an urban renaissance and will protect the countryside from further encroachment. This approach reflects the advice in PPG3 about the redevelopment of redundant employment land for residential use. The Plan adopts a cautious approach in Policy 134.E to the redevelopment of existing employment sites, based upon the findings of the Council's assessment of employment land in the Borough (CD19). As referred to above, I am satisfied that the Chickenhall Lane Link Road will be implemented during the Plan period and that this will enable the development of large employment allocations at Barton Park, the Northern Business Park, and the Alstom site, as set out in CD18, that can easily offset any loss of industrial land close to Eastleigh town centre. No modification is required in response to the related objection.
- 7.104. With regard to the third issue, I agree that there may be an element of subjectivity in the application of the policy. However, as the Council has stated in EBC128, the phrase 'markedly reduce' is well-understood in the context of the local economy, its diversity and in actual numbers. And in my view the qualification introduced by word 'significant' in paragraph 7.33 is an appropriate recognition that not all impacts would be

significant and that each case should be considered on its merits. The Economy policies in the Plan have to be responsive to changes in the local and national economy and as such a degree of flexibility is desirable. I consider that the policy and reasoned justification are sufficiently clear.

Recommendations

- 7.105. Policy 135.E, criterion (iv) be modified in accordance with the PIC on page 13 of CD7.
- 7.106. No other modification be made to the Plan in response to these objections.

Policy 136.E : Smaller Employment Areas

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *clarity of the policy*
- *whether the policy provides certainty*

Inspector's Considerations and Conclusions

- 7.107. Policy 136.E seeks to control the development of existing and proposed smaller employment sites. It contains six criteria which are primarily concerned with protecting the residential amenity of nearby occupiers and the industrial base of the local economy.
- 7.108. The amended policy in the Second Deposit Draft makes clear that all of the criteria must be satisfied. The related objection is addressed by this amendment.
- 7.109. In respect of the certainty point, I refer to my previous response in regard to Policy 135.E above. No modification is required in response to the related objection.
- 7.110. I note that criterion (iii) incorrectly refers to Policy 104.E, now 124.E. I have recommended that this policy be deleted from the Plan and that Policy 151.TC should be relied upon instead to control major office development. I recommend that the criterion be modified accordingly.

Recommendations

- 7.111. Criterion (iii) of Policy 136.E be modified so that the cross-reference to Policy 104.E is deleted and replaced by a cross-reference to Policy 151.TC.
- 7.112. No other modification be made to the Plan in response to these objections.

Policy 137.E: Dutton Lane, Eastleigh

Objections

See Appendix A for the list of objections on this matter

Main Issue

• need to clarify on what basis development would be permitted once an alternative access has been created

Inspector's Considerations and Conclusions

- 7.113. Policy 137.E seeks to control development on the industrial site accessed via Dutton Lane in the interests of protecting the residential amenity of nearby properties. It states that development on the industrial site will be strictly controlled in terms of traffic and noise/vibration until such time that an alternative route is secured via Barton Park.
- 7.114. The objection relates primarily to the clarity of the policy because it only states how the Council will treat proposals in the absence of an alternative route. The Council has sought to clarify the text in EBC513 by proposing that the reference to the alternative route be removed and referring instead to the effect of a proposal on traffic levels and residential amenity more generally. The new text proposed by the Council could apply equally to development at Dutton Lane industrial site with the alternative route in place or with the current access arrangements. This approach recognises the sensitive nature of the site and the constraints on development caused by the close proximity of residential streets. I recommend that the text of the policy be modified in accordance with the Council's proof EBC513.

Recommendations

- 7.115. Policy 137.E be modified in accordance with EBC513 so that it reads, "Development in the vicinity of Dutton Lane industrial area which leads to an increase in traffic on Dutton Lane, an increase in noise or loss of amenity to local residents will not be permitted".
- 7.116. No other modification be made to the Plan in response to this objection.

Policy 138.E: Laburnum Grove/Toynbee Road, Eastleigh

Objections

See Appendix A for the list of objections on this matter

Main Issue

• whether the policy places unreasonable restrictions on existing businesses contrary to PPG4

Inspector's Considerations and Conclusions

- 7.117. Policy 138.E seeks to control development of industrial sites in the vicinity of Laburnum Grove and Toynbee Road in the interests of protecting the residential amenity of nearby properties.
- 7.118. The Council explains in EBC145 that since no change has been made to the policy and supporting text between the First and Second Deposit Drafts, then the objection made at the Second Deposit stage is invalid. However, the Council has modified the Proposals Map so that Jewson's site is reclassified from employment land to a new housing allocation (Policy 86.H) and to that extent the Council accepts the objection.
- 7.119. In response to the objections to Policy 86.H dealt with in Chapter 5 of this report I have recommended that the policy be deleted from the Plan. This recommendation is not intended to dismiss the suitability of the overall site for residential development but rather, is an acknowledgement that it is unlikely to come forward for comprehensive redevelopment as envisaged by Policy 86.H within the Plan period. In the meantime, I consider that Policy 138.E should remain in its current form, since it is not unreasonable to seek to prevent expansion of employment uses on the Toynbee Road/Laburnum Grove industrial sites that would cause further harm to residential amenity.

Recommendation

- 7.120. No modification be made to the Plan in response to this objection.

Policy 140.E : Boatyard Sites

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *need to acknowledge the importance of the boatyard industry to the economy of Eastleigh*
- *need to recognise that boatyards must be up-dated through redevelopment*
- *whether the designated area for the Riverside boatyard should be enlarged*
- *whether the designated area for the Mercury boatyard should be enlarged*
- *whether the policy is too restrictive with regard to non-marina uses*
- *need to acknowledge the responsibilities of the Harbour Authority*
- *need to protect and enhance inter-tidal habitats*
- *whether the range of policy criteria is appropriate*

Inspector's Considerations and Conclusions

- 7.121. Policy 140.E seeks to control development on designated boatyard sites in the interest of safety/ease of navigation and nature conservation. A PIC is proposed which amends the supporting text in paragraph 7.41 to include references to PPG25 and to the importance of keeping boatyards up-to-date through new environmentally-friendly development.
- 7.122. Paragraph 7.41 of the reasoned justification refers to the importance of the boatyard industry on the River Hamble to the local economy and as a recreational facility. The alternative text proposed by the objector would add unnecessary detail to the Plan, contrary to the advice in PPG12. No modification is necessary in response to this first issue.
- 7.123. The reference in the PIC to the need to modernise boatyards through redevelopment would in my view resolve the objection on the second issue. The Council accepts in EBC289 that the words 'where necessary' should be added to the PIC to take account of the fact that modernisation can be achieved through means other than new development. This would resolve the related objection and I recommend accordingly.
- 7.124. In respect of the third issue, the Council has amended the Proposals Map (Map 39 in CD5) so that the Riverside boatyard is included. The related objection seeks allocation of land for expansion of the boatyard. The Council agreed at the Inquiry that the designated area could be further extended, to include those areas identified as B(i) and B(ii) in the plan attached to EBC110 and I concur. However, I share the Council's concerns that further expansion into the areas identified as D and E would have a harmful impact on the appearance of the riverside and its countryside setting. The development of boatyard uses in these areas would spoil the surroundings, breaking outside the tree-lined setting of

the riverside and endangering protected trees in Area E. This would be detrimental to views of the river from the high ground beyond the motorway and the motorway itself, and also to views of the river and riverbank from the railway as it crosses the Hamble. For these reasons I recommend that the extent of the Riverside Boatyard designation in Map 39 of CD5 be modified only in accordance with the changes set out in EBC110. At the Inquiry the Council also suggested that criterion (v) of the policy, which prohibits the extension of boatyard use beyond the defined curtilage as shown on the Proposals Map, be deleted and I concur, since this would enable each case to be considered on its merits. I also agree with the Council that an objector's suggested re-wording of the policy to permit the extension of boatyard uses in general would be entirely inappropriate, since the balance of interests needs to be carefully assessed in each case.

- 7.125. With regard to the Mercury boatyard, I have taken account of this objection under Policy 24.NC.
- 7.126. Turning to the fifth issue, I share the Council's view that the policy offers sufficient flexibility for non-marina uses on designated boatyard sites. Policy 140.E states that exceptionally, non-boatyard uses will be considered if it is necessary for the continued operation of the boatyard. In addition, the supporting text in paragraph 7.41 states that up to 30% of the total floorspace can be used for non-boatyard uses. In my view any greater proportion would be likely to reduce the boatyard use to such an extent that it would no longer be the primary use. The policy must and does protect the long-term interests of the boatyards. While the Plan should be responsive to the needs of the marina industry, short-term economic trends should not be allowed to dictate the future land use of these sites. No modification to the policy should be made in response to this issue.
- 7.127. In respect of the sixth issue, the reference to safety and navigation in criterion (i) of Policy 140.E does not infer that the responsibility for these matters now lies with the Council. These matters should be taken into account when determining applications for development on the river bank. As a matter of course the Harbour Authority would be consulted about planning applications such as these. I refer also to my considerations and conclusions under Policies 177.OS and 178.OS. No modification is necessary in response to the related objection.
- 7.128. With regard to the seventh issue, the protection of inter-tidal habitat is covered by other policies in the Nature Conservation chapter of the Plan. Almost all the inter-tidal habitat along the River Hamble is designated for its nature conservation interest. The Plan should be read as a whole and it is not necessary to include detailed nature conservation matters in this policy which are covered elsewhere in the Plan. Criterion (ii) of Policy 140.E refers directly to designated sites of nature conservation value and prohibits boatyard development that would adversely affect such areas. No modification in response to the related issue is therefore necessary.
- 7.129. On the final issue, the amended policy in the Second Deposit Draft

deletes a number of criteria that are covered by other policies in the Plan. In my view this is an appropriate response to the objection that some of the original criteria duplicated provisions elsewhere in the Plan; but the Council is justified in its decision not to delete all of the criteria referred to by the objector since some of them concern key factors upon which planning applications would be determined. As a corollary, I do not agree with another objector that the deleted criteria should be reinstated.

Recommendations

- 7.130. Paragraph 7.41 of the Plan be modified in accordance with the PIC on page 13 of CD7, with the addition of the words, 'where necessary' in accordance with paragraph 3 of EBC289.
- 7.131. The Proposals Map be modified so that the designated area of the Riverside Boatyard shown on Map 39 of CD5 is enlarged in accordance with the changes proposed in EBC110.
- 7.132. Criterion (v) of Policy 140.E which prohibits extension of boatyard use beyond the defined curtilage as shown on the Proposals Map be deleted.
- 7.133. No other modification be made to the Plan in response to these objections.

EEXC: Omissions from the Employment Chapter

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *need to allocate additional land*
- *whether the policy approach accords with Policy Q5 of RPG9*
- *whether the Recreation and Tourism policies should be cross-referenced in the Economy chapter*
- *whether reference to pre-school education facilities should be included*
- *whether sites for non-conforming uses should be allocated*
- *whether the deletion of Botleigh Grange employment site (Policy 105.E First Deposit) is contrary to the objectives of the Plan*
- *omission of an employment allocation on land off Allington Lane*
- *status of the plans in the chapter*

Inspector's Considerations and Conclusions

- 7.134. The objections regarding the first issue overlap with the considerations about the overall employment land provision and are dealt with at the commencement of this chapter.
- 7.135. I deal with compatibility between the Plan's approach to office development and RPG9's guidance under Policy 122.E above. My conclusions in respect of Barton Park and the NBP⁴ are also relevant in this regard.
- 7.136. With regard to the third issue, I consider that cross-references should be kept to the minimum necessary in the interests of a concise plan. A cross-reference to the Tourism and the Arts Chapter has been added in the Second Deposit Draft to the context box at the start of the Economy Chapter. In my view this is sufficient acknowledgement of the linkages between the respective policies since the Plan should be read as a whole. The fourth issue concerning pre-school education facilities is taken into account under Policy 122.E and I consider that no modification is required in response to this objection.
- 7.137. Turning to the fifth issue, I note that land has been allocated for non-conforming uses at Knowle Lane, Fair Oak (Policy 132.E). In the Council's view the loss of non-conforming sites to residential use in the Plan is of little consequence to the local economy and I agree that the benefits in terms of residential amenity and improvements to the wider urban area outweigh the loss of these employment sites. I am satisfied that the employment strategy pursued by the Council through the Plan is

⁴ See Policies 56.BE and 57.BE in Chapter 4, and Policies 130.E and 131.E above.

based upon a sound assessment of employment land provision in CD19 which has taken into consideration the loss of the non-conforming sites. There is nothing to indicate that any special need for particular industrial uses could not be met on the allocated employment sites. The Plan accords with national guidance in PPG4 in this respect and no modification is required in response to the related objection.

- 7.138. Turning to the sixth issue, Policy 105.E (First Deposit Draft) concerning the Botleigh Grange employment site has been deleted from the Plan because the office development has been completed. There is clearly no longer any sense in retaining this policy in the Plan. Matters relating to the Plan's housing strategy are dealt with elsewhere in this report. As the Council has identified, there is no duly-made objection to the housing strategy in relation to the deletion of Policy 105.E. No modification is required in response to the related objection.
- 7.139. I have considered linked objections regarding the land off Allington Lane under Policy 1.CO in the Countryside Chapter of this report. I consider that there is no justification for an employment allocation in this area which would be in conflict with the overall strategy of the Plan to protect the countryside from encroachment and focus new development on existing urban areas.
- 7.140. In respect of the final issue, the Council has stated that the plans in the employment chapter are for the assistance of the reader and are not intended to be inset maps. If the Council wishes to retain these in the finally adopted Plan it needs to ensure that their status as location plans is clearly explained and that there is no inconsistency or overlap between them and the Proposals Map, including its insets. The same applies to any of the plans/maps that are to be retained in the other chapters.

Recommendations

- 7.141. Any plans retained within the individual chapters of the Plan should be clearly distinguished from the Proposals Map, including its insets, and care should be taken to ensure that there is no overlap or inconsistency between the chapter plans and the Proposals Map.
- 7.142. No other modification be made to the Plan in response to these objections.

CHAPTER 8

TOWN AND LOCAL CENTRES: RETAIL AND LEISURE DEVELOPMENT

Chapter Title

Objections

See Appendix A for the list of objections on this matter

Main Issue

- *appropriate title of chapter*

Inspector's Considerations and Conclusions

- 8.1. The amended chapter title in the Second Deposit Draft is 'Town and Local Centres: Retail and Leisure Development'. While this may satisfy the point made by the objector that not all retail development takes place in town centres, the new title does not adequately describe the range of uses that are appropriate in town centres in accordance with PPS6. In my view a title that reflects the approach adopted by PPS6 would be more appropriate and therefore I recommend that the First Deposit Draft title should be re-instated. And as a consequence of my recommendations elsewhere in this Chapter and in Chapter 7, it would be appropriate to insert additional introductory text in Chapter 8 that sets out the main town centre uses to which policies in the chapter apply. This should be based on the advice in paragraphs 1.8 and 1.9 of PPS6.

Recommendations

- 8.2. The title of Chapter 8 be modified to 'Town and Local Centres'.
- 8.3. Additional introductory text be inserted in Chapter 8, setting out the main town centre uses to which the policies in the chapter apply. This text should reflect the advice in paragraphs 1.8 and 1.9 of PPS6.

Paragraph 7.1 (First Deposit): Objectives

Objections

See Appendix A for the list of objections on this matter

Main Issue

- *need for reference to the objectives in PPG6*

Inspector's Considerations and Conclusions

- 8.4. PPS6 has now replaced PPG6. The amendments made in the Second Deposit Draft include deletion of the original paragraph 7.1 (although this is not indicated in the Second Deposit Draft) and a new set of retail objectives that more closely reflect those of PPS6. It is not necessary or desirable to quote directly from national guidance since it may be reviewed during the Plan period, reducing the weight of the policy or objective.

Recommendation

- 8.5. No modification be made to the Plan in response to the objection.

Paragraph 8.2: Borough-Wide Retail Study

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *whether the Borough-wide retail study is out-of-date*
- *whether the paragraph should be made more flexible*

Inspector's Considerations and Conclusions

8.6. The 1997 Retail Study (CD22) is significantly out-of-date, as acknowledged by the Council. As PPS6 advises, plans should be based on up-to-date information and needs assessments should be updated regularly. This has not been done in Eastleigh Borough, but Policy 151.TC includes a test for need for specific proposals, in keeping with PPS6. While this more ad hoc approach is not ideal, it is the only one that can be taken until a new retail study has been completed. This should be done at the earliest opportunity since there have been significant retail developments and other changes both within and outside the Borough since 1997. In these circumstances I consider that paragraph 8.2 adds nothing to the clarity of the Plan and should be deleted. The objections to the reference to out-of-centre development would be resolved by deletion of the paragraph.

Recommendation

8.7. The Plan be modified by the deletion of paragraph 8.2.

Paragraph 8.3: Retail Centres

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *whether existing out-of-centre sites should be included in the retail hierarchy*
- *status of Hedge End centre*

Inspector's Considerations and Conclusions

- 8.8. In accordance with paragraph 2.1 of PPS6, regional planning bodies and local planning authorities should define a network and a hierarchy of centres each performing their appropriate role to meet the needs of their catchments. Policy S1 of the HCSP sets out a list of town centres, including Eastleigh, and Policy S2 states that local plans should define district, local and village centres. Out-of-centre locations do not form part of the retail hierarchy in the HCSP. Existing out-of-centre locations are dealt with under Policy 151.TC of the Plan and are subject to more stringent criteria for new development, including a test of need. This approach reflects the advice in PPS6, including that in paragraph 2.54. There is no substantive justification for including any of the existing out-of-centre developments in the Borough's retail hierarchy.
- 8.9. Turning to the second issue, the annotation in brackets next to the reference to Hedge End as a District Centre is a statement of intent that adds little to the hierarchy and reduces the certainty which developers and retailers should expect from the Plan. There are no specific proposals in the Plan that will directly lead to Hedge End developing into a town centre and therefore this annotation should be deleted.

Recommendations

- 8.10. Paragraph 8.3 of the Plan be modified by the deletion of the text in brackets that refers to the aspiration for Hedge End to become a town centre.
- 8.11. No other modification be made to the Plan in response to these objections.

Plan 26: Fryern Arcade/Winchester Road, Chandler's Ford

Objections

See Appendix A for the list of objections on this matter

Main Issue

- *whether the telephone exchange should be included in the Secondary Shopping Zone of Fryern Arcade/Winchester Road*

Inspector's Considerations and Conclusions

- 8.12. This site is located just outside the defined secondary shopping zone at Fryern. I agree with the Council that while the site might be acceptable for some retail development, to include it within the defined shopping area is unnecessary and inappropriate since it would limit other potentially suitable uses.

Recommendation

- 8.13. No modification be made to the Plan in response to this objection.

Paragraph 7.10 (First Deposit): Eastleigh Town Centre Strategy

Objections

See Appendix A for the list of objections on this matter

Main Issue

- *need for clarity about the aims of the strategy*

Inspector's Considerations and Conclusions

8.14. The objection has been overtaken by the deletion of the paragraph in the Second Deposit Draft. This resolves the issue.

Recommendation

8.15. No modification be made to the Plan be made in response to this objection.

Policy 141.TC: General Principles

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *recognition of operational needs*
- *whether requirement for developer contributions is too onerous*

Inspector's Considerations and Conclusions

- 8.16. Policy 141.TC seeks to ensure that development in Eastleigh Town Centre is of a high quality in terms of its design, in particular with regard to the number of storeys and their use. The revised policy in the Second Deposit Draft amends the requirement to put all storeys into active use in favour of a more flexible approach. It now states that all storeys should be designed for active use. This change goes some way towards meeting the objection and in my view the policy should not present any significant difficulties that could not be overcome by retailers if their schemes are well designed. For example, most supermarkets contain offices and other ancillary accommodation that are separate from the main sales floor and could be accommodated on a second storey. The policy allows for this. The Council has also suggested that the words 'such as' be inserted into the third criterion to clarify that housing and offices are examples of mixed uses, not necessarily preferred uses. I support this additional clarification.
- 8.17. Turning to the second issue, the Council has recommended that 'where appropriate' be added to the text of the first criterion so that it is more reasonable. Circular 1/97, paragraph B17 states that policies seeking planning obligations should not be based upon blanket formulas. I consider that the suggested change would address the related objection.

Recommendations

- 8.18. The first criterion of Policy 141.TC be modified as follows:-
'create a high quality of built and urban design, including where appropriate, environmental, public art and public safety improvements to the public realm.'
- 8.19. The third criterion of Policy 141.TC be modified as follows:-
'show that all storeys are designed for active use such as housing or office use'.
- 8.20. No other modification be made to the Plan be made in response to these objections.

Paragraph 8.14: Surface Level Car Park adjacent to Tesco, Southampton Road, Eastleigh

Objections

See Appendix A for the list of objections on this matter

Main Issue

- *whether the reference to Tesco should be deleted*

Inspector's Considerations and Conclusions

8.21. The final sentence of the paragraph that refers to the Tesco supermarket has been deleted from the Second Deposit Draft. It appears that this resolves the objection.

Recommendation

8.22. No modification be made to the Plan in response to the objection.

Policy 150.TC: District Centres; Village and Local Centres; Neighbourhood Parades

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *whether statement of intent regarding Hedge End is appropriate*
- *flexibility with regard to design of new retail units*
- *whether requirement for office or residential use of upper floors is too restrictive*
- *compatibility with the sequential approach*
- *whether requirement for replacement of existing convenience stores is too restrictive*
- *need for policy reference to car parking provision and Green Travel Plans*
- *whether boundaries of the centres take sufficient account of non-retail uses*
- *need to indicate redevelopment sites on a plan*

Inspector's Considerations and Conclusions

- 8.23. Policy 150.TC seeks to control development in the Borough's district, local and village centres, and neighbourhood parades. A number of criteria are set out concerning design and the protection of the vitality and viability of the centres.
- 8.24. With regard to the first issue, for the reasons set out above in regard to Paragraph 8.3 of the Plan, the sentence in paragraph 8.27, which refers to Hedge End becoming a town centre, should be deleted.
- 8.25. Turning to the second issue, given that the policy is not location-specific and covers a wide range of centres, it is unduly prescriptive to require a minimum number of storeys as set out in paragraph 8.31. A degree of flexibility must be allowed in smaller centres so that they remain competitive and viable locations. Policy 60.BE deals with general design principles in a way that ensures that any development in the centres covered by this policy would have to respond to the scale and design of its surroundings. Therefore it is sufficient for Policy 150.TC to require that new development is appropriate in scale, taking account of the role of the centre and its place in the hierarchy.
- 8.26. PPS6 generally encourages mixed-use development, including housing and offices on upper storeys in the interests of increasing activity and vitality of centres throughout the day. As such it is entirely appropriate to promote this type of development through the Plan's policies. The Council

accepts that criterion (v) should be made more flexible by referring to office and residential use as examples. I consider that this is an appropriate response to the objections.

- 8.27. In respect of the fourth issue, the reference to edge-of-centre sites in the first criterion of the policy is confusing and unnecessary. As the objector has stated, edge-of-centre sites, whether they are immediately adjacent to the centre or not, cannot be considered in the same way as sites within existing centres and they are subject to the test of need. The Council has defined a hierarchy of centres and any retail proposal outside of these centres must be justified in terms of need. PPS6, Annex A, Table 2 specifically defines edge-of-centre locations and as such the Council should not confuse matters by providing its own definition as in CD21, paragraph 3.7. It is also not necessary to state in criterion (i) that development should be within the defined centres since the policy only applies to development in defined centres. All other development proposals would have to comply with Policy 151.TC. Therefore the first criterion of Policy 150.TC should be deleted and consequential modifications made to paragraph 8.30 of the supporting text.
- 8.28. With regard to the fifth issue, it is important to manage the range of facilities in centres, but this does not mean that blanket restrictions on the loss of particular uses should be applied. The Council must consider each application on its merits, taking account of viability and need considerations. Criterion (ii) already states that the commercial coherence of the existing centre should not be undermined; this would allow the Council to scrutinise proposals for the loss of convenience shopping in the wider interests of the centre and the community it serves. Therefore criterion (vii) should be deleted from the policy.
- 8.29. Turning to the sixth issue, paragraph 7.48 is deleted in the Second Deposit Draft and as such the objection related to this paragraph has been satisfied. Matters concerning car parking standards, reducing the need to travel, and Green Travel Plans are dealt with in the Transport Chapter. The Plan should be read as a whole and there is no need for policies in one part of the Plan to repeat the provisions of general policies in other chapters.
- 8.30. In respect of the seventh issue, the amended policy in the Second Deposit Draft refers to community facilities, thereby reflecting the importance of such uses in centres. The boundaries of the centres have been drawn primarily to maintain and enhance Class A1 retail use in the centres. The tight boundaries serve to concentrate shops and services in a way that will maximise accessibility by the local community. I do not consider that any modification is required in response to this concern.
- 8.31. On the final matter, the Council has agreed to identify all redevelopment sites on the Proposals Map and as such the objection would be satisfied. I recommend accordingly.
- 8.32. As a consequence of my recommended modifications to Chapter 7 and

Chapter 8 more generally, it would be appropriate to clarify that this policy also applies to other town centre uses as defined in the introductory text to the Chapter.

Recommendations

- 8.33. Paragraph 8.27 be modified by the deletion of the third sentence which refers to the Council's aspiration for Hedge End to develop into a town centre.
- 8.34. Paragraph 8.31 be deleted and paragraph 8.30 be modified to delete the second sentence and the words 'or immediately adjacent to...' from the first sentence.
- 8.35. Policy 150.TC be modified by the rewording of the first sentence to refer to 'Further development for retail or other community services or town centre uses will be permitted....', and by deletion of criteria (i) and (vii) and by the re-wording of criterion (v) as follows:-
'shows that all storeys are designed for active use such as housing or office use'.
- 8.36. The Proposals Map be modified by indicating the local centre redevelopment sites listed under paragraph 8.33. This may be achieved by using inset maps as appropriate.
- 8.37. No other modification be made to the Plan in response to these objections.

Policy 151.TC: Out-of-Centre and Edge-of-Centre Retail and Leisure Developments

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *whether policy title should refer to edge-of-centre development*
- *whether the supporting text should refer to the individual retail needs of communities*
- *whether test of need and sequential approach should be split into two separate criteria*
- *whether the policy should encourage new development in existing out-of-centre retail locations*
- *need to correct typographical errors*
- *relevance of the Borough-wide Retail Study*
- *compatibility with PPG6's advice on sequential approach in relation to village and local centre sites*
- *whether the policy should require flexibility from local authorities, as well as developers*
- *need for consistency between SPG and policies of an adopted plan*
- *whether the policy should apply only to applications to relax conditions that would have a significant impact*
- *compatibility of 500sq m floorspace threshold with national guidance*
- *whether 'genuinely accessible' in criterion (iv) should be clarified*
- *whether the policy is too negative*

Inspector's Considerations and Conclusions

- 8.38. Policy 151.TC seeks to control development in out-of-centre and edge-of-centre locations. It includes a test of need and criteria relating to the protection of existing centres and accessibility by public transport. The supporting text also clarifies the Council's approach to the application of restrictive conditions on internal alterations.
- 8.39. With regard to the first issue, the Council has amended the policy and policy title to refer to edge-of-centre development in the Second Deposit Draft. Subject to making consequential modification to paragraph 8.34 to refer also to edge-of-centre development, I consider that this would resolve the related objection. However, it does not adequately address the scope of the policy which concerns all town centre uses that attract a lot of people, including office uses. As a consequence of my recommendation that Policy 122.E should be deleted, the title of Policy 151.TC should be modified to include reference to office and other town centre uses.

- 8.40. Turning to the second and third issues, the Second Deposit Draft includes an expanded paragraph 8.34 which makes clear that the needs test for specific proposals would take account of up-to-date data and circumstances in specific parts of the Borough. And the amended policy in the Second Deposit Draft contains separate criteria dealing with need and the sequential approach. I consider that these amendments resolve the related objections.
- 8.41. In respect of the fourth issue, paragraph 8.34 of the Plan states that if a proposal that is adjacent to an existing facility would generate linked trips, this would be taken into account when assessing its travel effects. But having regard to the advice in PPS6, no general encouragement for the expansion of existing out-of-centre developments would be appropriate. No modification is necessary in response to the related objections.
- 8.42. With regard to the fifth issue, the PIC (CD7) acknowledges on page 14 that the text added to paragraph 8.34 which refers to Policy 150.TC is a typographical error. Only Policy 151.TC includes a test of need. I recommend the correction accordingly. In a similar vein I note the Council's correction in the Second Deposit Draft where the word 'feasibility' was replaced by 'flexibility' in criterion (ii). This satisfies the related objection.
- 8.43. Turning to the sixth issue, I have considered the 1997 Retail Study above in regard to the objections to Paragraph 8.2. It is unsatisfactory that the retail policies of the Plan are not based on an up-to-date assessment of the Borough and this should be addressed as soon as possible. However, in the interests of expediting timely adoption of the Plan, I consider the approach set out in Policy 151.TC will suffice until a new retail study can be carried out.
- 8.44. Turning to the seventh issue, the amended paragraph 8.34 in the Second Deposit Draft deletes the reference to parades, and the Council suggests in EBC094 that clarification should also be included in the paragraph to the effect that the sequential approach would not take sites in local and village centres into account where the proposal is for very large development. Policy 151.TC applies only to 'major development', which paragraph 8.34 defines as 500sq m or more. National policy is clear that in applying the sequential approach, the relevant centres in which to search for sites will depend on the scale and catchment of the proposed development. Taking all of these matters into account, I consider that a simpler and more concise approach which would accord with PPS6 is to amend criterion (ii) of the policy to refer only to 'centre' or 'edge-of-centre'. Paragraph 8.34 should also be modified to outline briefly the sequential approach to site selection. And in this regard, the Council's suggested addition to the text in paragraph 8.34 should be amended to more closely reflect the advice in paragraph 2.42 of PPS6. The final sentence of that advice is commended to the Council.
- 8.45. So far as the eighth issue is concerned, the proposed PIC to criterion (ii) of

the policy reflected more closely the wording in PPG6 (as then current) with regard to flexibility, but I recommend a re-worded criterion to refer to scale, format, car parking provision and scope for disaggregation in order to reflect the advice in PPS6. I am satisfied that this would apply equally to the Council and to potential developers.

- 8.46. In respect of the ninth issue, PPG12, paragraph 3.15 states that SPG does not form part of the plan and that it carries extra weight where it is consistent with the plan. The SPG referred to is out-of-date and would not be consistent with the Plan's policies as modified in accordance with my recommendations. Therefore, reference to CD21 should be deleted from paragraph 8.34 in the interests of clarity and consistency.
- 8.47. Regarding the tenth issue, there are two references to the relaxation of conditions in paragraphs 8.34 and 8.35. The Council has proposed in EBC100 to add additional text to paragraph 8.34 in response to the related objection. The additional text clarifies that only where the relaxation of conditions would impact on planning objectives will the policy be applied. I am satisfied that this is a pragmatic and reasonable approach and recommend accordingly. The wording of paragraph 8.35 makes clear that restrictive conditions will only be applied where they are required and makes clear that they will be related to net trading floorspace, not floorspace required for operational purposes. No other modification is required to this paragraph in these respects.
- 8.48. Turning to the eleventh issue, PPS6 advises that impact assessments should be provided for retail and leisure developments over 2500sq m but that they may occasionally be necessary for smaller developments. Paragraph 8.34 of the Plan is clear in these regards and is consistent with the advice in PPS6. I do not consider that any modification is required in response to the related objection.
- 8.49. With regard to the twelfth issue, the phrase 'genuinely accessible' is consistent with national guidance in paragraph 3.25 of PPS6. Whether a development proposal is genuinely accessible will depend on the number of trips it would generate and the choice of transport modes available. These are matters of fact and degree that would be judged in each case. No modification is required in response to the related objection.
- 8.50. In respect of the final issue, the reworded policy in the Second Deposit Draft is more positively expressed and I consider that the related objection has been addressed.

Recommendations

- 8.51. The title of Policy 151.TC be modified to 'Major Edge-of-Centre or Out-of-Centre Development for Retail, Leisure, Office or Other Town Centre Uses'.
- 8.52. Paragraph 8.34 be modified by:
a) making reference to edge-of-centre development as well as out-of-

- centre development;
 - b) including a brief outline of the sequential approach to site selection, based on paragraph 2.44 of PPS6;
 - c) including clarification to the effect that local or village centres will generally be inappropriate locations for large-scale development even when a flexible approach is adopted. The Council should also consider setting an indicative upper limit for the scale of developments likely to be permissible in the different types of centres in the Borough, so that developments above these limits are directed to centres higher up the town centre hierarchy;
 - d) deleting the sentence that reads, 'This policy will also be applied to applications to relax conditions applying to retail development' and replacing it with the following sentence, 'This policy will be applied to applications to relax conditions applying to retail development where the scale of the relaxation is such that there may be an impact on planning objectives.', and
 - e) deleting the reference to Policy 150.TC in the seventh sentence and replacing it with a reference to Policy 151.TC.
- 8.53. The second criterion of Policy 151.TC be modified so that it reads, 'there are no suitable, viable and available sites or premises for the proposed use within an existing centre or edge-of-centre location (in that order of preference), having demonstrated realistic flexibility on scale, format, car parking provision, and the scope for disaggregation.'
- 8.54. The Council should update the Borough-wide Retail Study at the earliest possible opportunity.
- 8.55. The Plan be modified by deleting the reference to the Council's SPG, 'Major Retail Development and the Sequential Approach'.
- 8.56. No other modification be made to the Plan in response to these objections.

Policy 152.TC: Warehouse Clubs

Objections

See Appendix A for the list of objections on this matter

Main Issue

- *whether warehouse clubs should not always be treated as a retail use*

Inspector's Considerations and Conclusions

- 8.57. Policy 152.TC states that warehouse clubs will be permitted as non-Class A retail use subject to other policies in the Plan, including Policy 151.TC.
- 8.58. In response to the objections, the Council has proposed a PIC to amend the supporting text to Policy 152.TC. The amended paragraph acknowledges the need for a realistic and flexible approach towards warehouse club proposals from all parties. It provides sufficient flexibility for each proposal to be determined on its merits, according to the size and nature of the operation. This accords with recent decisions by the Secretary of State which have acknowledged that some warehouse clubs are a non-Class A use. But in the light of the more recent amendment of the Use Classes Order in 2005 which confirms that these are *sui generis* uses, Policy 152.TC and the PIC require amendment to acknowledge this fact, and the definition set out in the PIC should be amended in line with that in PPS6.

Recommendations

- 8.59. Policy 152.TC and paragraph 8.35 (as amended in the PIC) be modified to acknowledge that retail warehouse clubs are *sui generis* uses.
- 8.60. The definition set out in paragraph 8.35 (as amended in the PIC) be modified to accord with PPS6, and consequential modification be made to the sixth sentence of the paragraph to acknowledge that not all warehouse club operations may be limited to 'bulky' goods.
- 8.61. No other modification be made to the Plan in response to these objections.

Policies 153.TC, 154.TC and 155.TC: Changes of Use

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *appropriateness of seeking to preserve existing commercial interests*
- *need to show designations on the Proposals Map*

Inspector's Considerations and Conclusions

- 8.62. Policies 153.TC and 154.TC seek to prevent the loss of Class A1 floorspace from the primary zones of Eastleigh town centre and district centres respectively. In accordance with Policy 155.TC, the change of use from Class A1 to A2 and A3 uses in the secondary zones of Eastleigh town centre and the district centres would be permitted.
- 8.63. With regard to the first issue, the PIC to paragraph 8.36 deletes the sentence that refers to national multiples. The sentence is replaced by a more general statement to the effect that the Council will aim to maintain a strong base of retailing. I consider that this resolves the objection.
- 8.64. Turning to the second issue, the key problem with the approach adopted by the Council is that there does not appear to be clear linkages between plans included within the chapter and the Proposals Map. The Council contends that the scale of the Proposals Map would not lend itself to detailed designations such as the identified shopping zones in Eastleigh town centre. As set out in the PIC document, the primary and secondary zones of Eastleigh town centre and the district centres, currently shown on plans within the written statement of the Second Deposit Draft, will be indicated on the Proposals Map. This would be appropriate and in keeping with the principle that the Proposals Map should illustrate each of the detailed policies and proposals in the written statement. However, where the amount of detail requires the use of insets to the Proposals Maps, all of the designations within the area should be shown on the inset so that it can be understood in its entirety. Any other illustrative material may be included within the written statement for general information purposes. The Council should follow this approach in the finally adopted Plan.
- 8.65. Finally, I note that this section of the Plan will require some consequential modifications in the light of the recent amendment of the Use Classes Order (2005).

Recommendations

- 8.66. Paragraph 8.36 be modified in accordance with the PIC on page 14 of CD7.
- 8.67. The Proposals Map be modified in accordance with PIC 9 in the Maps section of CD7 but the Council should ensure that where insets to the Proposals Map are used, all of the designations that apply within the inset area are shown on the inset map.
- 8.68. No other modification be made to the Plan in response to the objections.

Policy 156.TC: Local Centres

Objections

See Appendix A for the list of objections on this matter

Main Issue

- *whether policy should include conditions relating to car parking*

Inspector's Considerations and Conclusions

- 8.69. The policy seeks to ensure that no more than 35% of the total length of the shopping frontage in local parades/village centres is given over to Class A2 or A3 uses as a result of any proposed changes from Class A1 use.
- 8.70. Car parking policy is dealt with in the Transport Chapter. The Plan should be read as a whole and in the interests of producing a clear and concise document, policies should not be repeated.

Recommendation

- 8.71. No modification be made to the Plan in response to the objection.

Policy 157.TC: Offices and Residential

Objections

See Appendix A for the list of objections on this matter

Main Issue

- *whether policy should include conditions relating to car parking*

Inspector's Considerations and Conclusions

- 8.72. In general the policy seeks to prevent the change of use of the ground floors of premises in shopping areas from retail uses to non-retail uses.
- 8.73. With regard to the main issue, I refer to my considerations under Policy 156.TC above.

Recommendation

- 8.74. No modification be made to the Plan in response to the objection.

Policy 158.TC: Upper Floors

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *whether policy should include conditions relating to car parking*
- *need for criterion on the protection of the architectural or historic interest of the property*

Inspector's Considerations and Conclusions

- 8.75. The policy seeks to ensure that amenity considerations are taken into account in proposals for the change of use of upper floors to non-retail purposes.
- 8.76. With regard to the first issue, I refer to my response above concerning Policy 156.TC.
- 8.77. On the second issue, the Second Deposit Draft includes a new sentence in the supporting text of the policy which refers to protecting listed buildings. I share the Council's view, expressed in EBC106, that to add a criterion to this policy that relates to protecting the architectural or historic interest of the building would only repeat the provisions of other policies elsewhere in the Plan.

Recommendation

- 8.78. No modification be made to the Plan in response to these objections.

Policy 159.TC: Hot Food Outlets

Objections

See Appendix A for the list of objections on this matter

Main Issue

- *policy should include conditions relating to car parking*

Inspector's Considerations and Conclusions

8.79. The policy seeks to ensure that proposals for Class A3 uses are not located in close proximity to odour-sensitive premises and that adequate provision for the control of odour and noise and waste disposal are put in place.

8.80. The objection is dealt with under Policy 156.TC above.

Recommendation

8.81. No modification be made to the Plan in response to the objection.

Policy 160.TC: Amusement Centres

Objections

See Appendix A for the list of objections on this matter

Main Issue

- *need to show policy designations on the Proposals Map*

Inspector's Considerations and Conclusions

- 8.82. The policy seeks to restrict the development of amusement centres in the core and primary shopping areas, conservation areas and in locations close to schools, hospitals and properties in residential use.
- 8.83. The objection is dealt with in my recommendations under Policies 153-155.TC above.

Recommendation

- 8.84. No modification be made to the Plan in response to the objections.

TCEXC – Omissions from the Town and Local Centres: Retail and Leisure Development Chapter

Objections

See Appendix A for the list of objections on this matter

Main Issue

- *whether the 1997 Borough-wide Retail Study is out of date*

Inspector's Considerations and Conclusions

8.85. This matter is considered above in regard to Paragraph 8.2 and Policy 151.TC.

Recommendation

8.86. No modification be made to the Plan in response to this objection.

CHAPTER 9

PUBLIC OPEN SPACE, SPORT AND RECREATION

Preamble

- 9.1. The Council has updated the Second Deposit Draft of the Public Open Space Sport and Recreation Chapter following the completion of a local open space needs assessment. As a result, the Parks and Green Spaces Standards for Proposed Local Plan Policy (CD89) was published as a Further Proposed Change (FPC) to the Plan and was subject to public consultation between April and June 2004. The representations made in response to the consultation have been taken into account (the schedule of representations forms an annexe to Appendix A).
- 9.2. PPG17 states that local authorities should set down local open space standards, based upon a local open space needs assessment. As such, in principle I support the amendments proposed in the Further Proposed Change (FPC) to the Chapter. I deal below with the particular points raised in the objections; however, unless explicitly stated otherwise, it should be assumed that I consider the FPC to be in accordance with the latest guidance in PPG17 and that the Plan should be modified accordingly.

Paragraph 9.4: Public Open Space Standards

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *whether the examples given in PIC, paragraph 9.4 could contain land which is not public open space*
- *whether identification and protection of a site awaiting redevelopment as a green space would prevent its redevelopment*
- *whether 'accessible natural green space' requires definition*

Inspector's Considerations and Conclusions

- 9.3. Paragraphs 9.3 and 9.4 of the Second Deposit Draft state that the Council will undertake a local open space assessment and that it will produce SPG related to the findings and to the Council's Sport and Recreation Strategy (CD54). Paragraph 9.4 adds that until the assessment is produced the Council will use the NPFA standards. The Council also commits itself to carrying out a survey of open space that falls outside the scope of the NPFA standards. A PIC to paragraph 9.4 was proposed by the Council which sought to add a definition of accessible natural green space. The Further Proposed Change (FPC) has superseded this by proposing the deletion of paragraphs 9.3 and 9.4, due to the fact that the Council has adopted its own locally derived standards, based upon the results of the aforementioned local open space needs assessment (CD89).
- 9.4. With regard to the first, second and third issues, the local open space needs assessment has now been completed. The PIC which set out the

Council's definition of accessible natural green space has also been deleted. In my view the deletion of these paragraphs resolves the related objections. The approach taken by the Council in the FPC complies with government guidance in PPG17, paragraph 6, which states that open space standards are best set locally. I recommend accordingly.

Recommendation

- 9.5. The Plan be modified in accordance with the FPC in CD89.

Policy 162.OS: Protection of Existing Public Open Space

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *whether policy should not seek to protect land in private ownership*
- *whether policy should be linked to identified sites on the Proposals Map*
- *need to delete reference to natural or semi-natural green space*
- *whether section heading should be modified to refer to Existing Open Space*
- *need to support development that will lead to improvements to existing sports pitches*
- *need to allow for off-site replacement of open space lost as a result of development*
- *whether criterion (iii) accords with PPG17 or additional criteria are required*
- *whether criterion (ii) should state that only land capable of forming a viable playing pitch will be protected*
- *whether the loss of school playing fields that are surplus to requirements should be permitted*

Inspector's Considerations and Conclusions

- 9.6. The Second Deposit Draft Policy 162.OS seeks to protect open space, whether private or public, from development. It lists some exceptions as a set of criteria. PICs have been proposed to the detailed text of the policy and these have carried through unchanged to the FPC version of the Chapter.
- 9.7. With regard to the first issue, the companion guide to PPG17 states that local authorities should carry out an assessment of open space in the area and include land irrespective of ownership. No modification is required in response to the related objection.
- 9.8. Turning to the second issue, as the Council has stated in EBC467, valuable open space in urban areas that forms part of the Green Network is identified on the Proposals Map in relation to policies 58.BE and 164.OS. Policy 162.OS is a general policy that seeks to establish criteria for considering proposals for the development of open land. It is not the intention of this policy to allocate specific sites for protection. No modification of the Proposals Map is therefore required.
- 9.9. In respect of the third issue, EBC439 states that the reference to natural and semi-natural green space should be deleted from the policy, and the Council agreed at the Inquiry that all references to this term in the Plan should be deleted. I agree and this would resolve the linked objections.

- 9.10. With regard to the fourth issue, the Council has deleted the word 'Public' from the title of the section in the FPC. This satisfies the related objection.
- 9.11. Turning to the fifth issue, Policy 213.IN, as proposed to be modified, allows for contributions towards improvements to green space and recreational facilities. The Plan must be read as a whole and it is not necessary to repeat this provision in Policy 162.OS.
- 9.12. In respect of the sixth issue, criterion (iii) of Policy 162.OS does allow for off-site provision of replacement open space. No modification is therefore required.
- 9.13. With regard to the seventh issue, it will be up to the Council to determine what would constitute a suitable location in the particular circumstances of the case. Deleting this text would make the policy unclear and would offer no locational guidance for developers when considering replacement facilities. PPG17 states that in considering replacement facilities, factors such as accessibility, size, usefulness, attractiveness and quality should all be taken into consideration. For the purposes of this local plan the term 'suitable location' and the text which refers to the quality and quantity of the replacement open space adequately reflect the advice in PPG17. There is no need to repeat or paraphrase large sections of PPG17's guidance within the Plan. No modification is necessary in response to the related objections.
- 9.14. Turning to the eighth issue, I share the Council's view, set out in EBC497, why it would be inappropriate and unjustified to qualify criterion (ii) by inserting the word 'viable'.
- 9.15. In respect of the final point, criterion (v) of the policy was amended in a PIC and carried through to the FPC version, so that it refers to the need for an assessment to be carried out to determine whether the land is surplus to requirements. I do not consider that this should be qualified in any way, since in accordance with PPG17 the assessment should consider all the potential functions of open space and the need for them. Therefore no modification should be made in response to the objection.

Recommendations

- 9.16. The Plan be modified by the deletion of all references to natural and semi-natural green space.
- 9.17. No other modification be made to the Plan in response to these objections.

Policy 163.OS: Loss of Open Space

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *whether policy should be reinstated*
- *compatibility with PPG17 regarding open space needs assessment*

Inspector's Considerations and Conclusions

- 9.18. Policy 163.OS seeks to prevent the loss of natural and semi-natural open space unless the proposed use would be ancillary to the recreational use of the site. The policy is proposed for deletion as a PIC. The FPC document also proposes to delete the supporting text to the policy in paragraph 9.8.
- 9.19. With regard to the first issue, the objectors' main concern is the inclusion of the protection of natural and semi-natural green space in Policy 162.OS as a result of the deletion of Policy 163.OS. However this objection has been overtaken by events and is resolved by my recommendation under Policy 162.OS above. Similarly, the concern about compatibility with PPG17 has been resolved by the Council's proposal to delete the policy. This satisfies the related objection and since my recommendation in paragraph 9.5 of this report covers both issues, no other modification is necessary.

Recommendation

- 9.20. No modification be made to the Plan in response to these objections.

Policy 164.OS & Plan 56: Green Network of Public Open Space

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *whether the Hampshire Constabulary HQ should be removed entirely from the Green Network*
- *whether the Green Network should not include land used in conjunction with education*
- *whether areas that act as important nature conservation links between sites in the Eastleigh Green Network and Green Networks in neighbouring districts should also be designated*
- *whether the policy should refer to planning obligations*
- *relationship with Policy 58.BE and need to indicate the sites on the Proposals Map*
- *compatibility with PPG17 re the need for assessment and the sequential approach*
- *potential offered by allocation of an MDA north of Hedge End*

Inspector's Considerations and Conclusions

- 9.21. Policy 164.OS seeks to prevent development that would have a detrimental impact upon the Green Network and also seeks contributions towards its improvement from developers of sites adjoining the Green Network. A PIC to the policy introduced an element of flexibility which allowed development of a Green Network site, if it was part of a comprehensive scheme involving the replacement of green space elsewhere. This change has been carried through to the FPC version. Plan 56 shows the extent of the Green Network in the Borough; however, it was deleted as a PIC and is not included in the FPC version.
- 9.22. With regard to the first issue, the Council has confirmed in EBC454 that the land at the Hampshire Constabulary HQ will be removed from the Green Network designation. This would address the related objection and I recommend accordingly.
- 9.23. Turning to the second issue, the Council has indicated in EBC441 that no land used in conjunction with education, or any other public service operational land, is included in the Green Network. I consider that this resolves the related objection.
- 9.24. In respect of the third issue, the emphasis on identifying a Green Network is to create opportunities for public access and recreation. This differs from the aims and objectives of SINCS and SSSIs where it would not usually be appropriate or desirable to encourage public access, due to the damage that might be caused to their nature conservation importance. I am satisfied that within the scope of the policy and its aims, there is no need to

- designate further land in order to link up the various sites of nature conservation importance in the Borough and beyond. This matter is addressed in the Nature Conservation chapter and the Plan should be read as a whole.
- 9.25. With regard to the fourth issue, the policy (as proposed to be modified by the FPC) states that where it is appropriate to do so, contributions, negotiated by way of a planning obligation, will be sought from developers of land adjoining the Green Network. I consider that this resolves the concern in the related objections.
- 9.26. Turning to the fifth issue, the Council propose the deletion of Plan 56. As set out in EBC465, the land designated as the Green Network is already shown on the Proposals Map as 'Existing Public Open Space'. I acknowledge the concerns expressed in the objections that the Green Network and urban open space (Policy 58.BE) should be combined into a single policy designation and identified as such on the Proposals Map. However, while the Council has identified urban open space as forming part of the Green Network, it is important to identify it separately from the series of Country Parks and cycle paths that make up the remaining Green Network. The first planning objective set out in PPG17 states that local networks of well managed open space help support the urban renaissance of our towns and cities and can assist in meeting objectives to improve air quality in urban areas. I consider that the role of urban open space goes beyond that of meeting the recreational needs of the community and therefore I support the retention of a separate policy on urban open space in the Urban Renaissance and Built Environment Chapter. A link must be maintained between regeneration and the protection and enhancement of the Borough's existing urban green spaces.
- 9.27. To make more sense of the Green Network designation and the links to Policy 58.BE, the Council suggests in EBC540 that the key on the Proposals Map should refer to the 'Green Network and Urban Open Space' instead of 'Existing Open Space'. In general this change would clarify the link between the policies and the Proposals Map, but the terminology should be consistent with the policy titles and therefore 'urban open space' should be replaced by 'urban greenspaces' in the Proposals Map Key, or alternatively, the title of Policy 58.BE should be modified to 'Urban Open Space'. I recommend accordingly.
- 9.28. In respect of the sixth issue, the Council has carried out an assessment of the open space in the Borough and has found a deficiency of open space. I am satisfied therefore that within the framework of the Plan and in applying Policy 164.OS, there is adequate justification to require any development proposal on existing open space to replace it 'like for like'. I consider that the policy wording in the FPC document is fully in keeping with the advice in PPG17, while introducing an appropriate measure of flexibility compared with the earlier version of the policy. There is no need to insert additional wording that would replicate PPG17. It should also be noted that paragraph 10 of PPG17 states that only in the absence of a robust assessment should the Council require developers to produce an independent assessment.

- 9.29. On the final point, I conclude elsewhere¹ that an MDA to the north of Hedge End should not be allocated in the Plan. In my view, any advantage offered by an MDA for the improvement of the Green Network is not a determining factor in this regard.
- 9.30. Linked objections to the proposals for the land south of South Street and Monks Way are considered under Policy 83.H in the Housing Chapter of this report.

Recommendations

- 9.31. The Proposals Map be modified so that the Key refers to 'The Green Network and Urban Greenspaces (Policies 164.OS and 58.BE)', rather than 'Existing Open Space...', or alternatively, the title of Policy 58.BE be modified to 'Urban Open Spaces' and the Proposals Map Key modified to refer to 'The Green Network and Urban Open Spaces (Policies 164.OS and 58.BE).'
- 9.32. The Proposals Map be modified so that the land at the Hampshire Constabulary HQ at Netley is deleted from the Green Network as set out in EBC454.
- 9.33. No other modification be made to the Plan in response to these objections.

¹ See under HEXC in Chapter 5.

Policy 165.OS: Public Open Space Provision associated with New Development

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *status and content of SPG with reference to developer contributions*
- *whether the recreational needs of the elderly are properly addressed*
- *whether the threshold is unduly onerous and could prejudice brownfield redevelopment*
- *need to clarify the open space requirement in MDAs*
- *requirement for an open space and recreational needs assessment as the basis for the policy*

Inspector's Considerations and Conclusions

- 9.34. Policy 165.OS in the Second Deposit Draft set out a minimum provision of 2.4 hectares of open space per 1000 population, in accordance with the National Playing Fields Association standards. The policy has been replaced by a new Policy 165.OS in the FPC (CD89). This sets a new minimum provision rate of 2.85ha per 1000 population to reflect the findings of the open space needs assessment. The new policy also sets out thresholds and clarifies whether the open space should be provided on or off-site.
- 9.35. With regard to the first issue, the Council has indicated in FPC paragraph 9.15 that contributions from commercial/employment developments will be set out in detailed development and design briefs for major sites. Circular 1/97, paragraph B16 states that it is not appropriate to set out precise requirements or to impose rigid formulae when considering planning obligations. It goes on to state that planning obligations should be related to specific proposals. In light of this advice I find nothing wrong with the Council's approach which states clearly that planning obligations will be sought from major development sites, even though specific policies for these sites are not referred to, but the wording in relation to development and design briefs suggests that matters that ought to be set out in site-specific policies may be relegated to design briefs. To avoid this implication, the wording of paragraph 9.15 should be modified to omit the reference to the briefs and to clarify that any contributions sought would be reasonably related in scale and kind to the proposed development.
- 9.36. Turning to the second issue, paragraph 9.15 in the FPC states that the nature of the development will be taken into consideration when determining the scale and type of open space that will be sought. Specific reference is made to housing for the elderly in the paragraph. There is no justification for exempting housing for the elderly from contributions towards open space in the Borough since elderly people make use of open

space and also have recreational needs. No modification is required.

- 9.37. In respect of the third issue, the more efficient use of urban land advocated in PPG3 should not be at the expense of adequate public open space. The thresholds set out in FPC Policy 165.OS act as a starting point for negotiations and I do not accept that they will jeopardise the use of previously developed land. The first objective of PPG17 states that the provision of well maintained, high quality public open space will support an urban renaissance. The thresholds and minimum provision set out in FPC Policy 165.OS are underpinned by an open needs space assessment. They respond to an identified shortfall of public open space in the Borough. This approach follows guidance in PPG17 and as such no modification to the FPC is required in response to the related objection.
- 9.38. With regard to the fourth issue, I conclude elsewhere² that an MDA should not be allocated in the Plan and therefore no modification of Chapter 9 is required on this matter.
- 9.39. Turning to the fifth issue, the Council has carried out an open space needs assessment in accordance with guidance in PPG17 and I consider that this addresses the related objections.

Recommendations

- 9.40. The final sentence of paragraph 9.15 of the Plan be modified as follows:-
Contributions from major commercial/employment developments that are reasonably related in scale and kind to the proposed development will be sought towards open space, sport and recreation provision.
- 9.41. No other modification be made to the Plan in response to these objections.

² See the consideration of the overall housing strategy at the beginning of Chapter 5.

Policy 166.OS: Public Open Space Provision associated with New Development

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *requirement for an open space and recreational needs assessment as the basis of the policy*
- *whether the figures in Table 4 are out-of-date and too detailed for a local plan*

Inspector's Considerations and Conclusions

- 9.42. Policy 166.OS is a criteria-based policy that sets out the standard expected in the provision and management of new play areas for children. It is proposed in the PIC document (CD7) that the policy should be deleted and included as supporting text instead.
- 9.43. With regard to the both issues, the Council has carried out an open space needs assessment in accordance with guidance in PPG17 and as such the related objection has been addressed. I also support the deletion of Policy 166.OS. The provision of children's play areas is a detailed matter that is more appropriately considered in the context of Policy 165.OS. However, the inclusion of this level of detail in the reasoned justification, as suggested in the PIC, would be excessive and not in accordance with the advice in PPG12 which suggests that SPG would generally be a more appropriate means of dealing with such matters. I recommend accordingly. Finally, Table 4 has been deleted from the Second Deposit Draft and this resolves the objection on the issue.

Recommendation

- 9.44. The Plan be modified by the deletion of Policy 166.OS and the Council should give consideration to including its content in a SPD on public open space provision, in preference to including it as additional supporting text in the Plan.

Policy 167.OS: Sport and Recreation Provision

Objections

See Appendix A for the list of objections on this matter

Main Issue

- *whether the policy is a statement of intent and should be deleted*

Inspector's Considerations and Conclusions

9.45. Policy 167.OS seeks to encourage sport and recreation providers to consider opportunities for joint provision. A PIC to this policy proposes that it is deleted and included as supporting text instead. I support this approach. The policy does not form the basis for considering planning applications, but in the interests of promoting private/public partnerships to improve and enhance sport and recreation provision in the Borough the text of the policy could usefully be retained as supporting text to Policy 165.OS. This would resolve the objection and I recommend accordingly.

Recommendation

9.46. The Plan be modified by the deletion of Policy 167.OS and its inclusion as supporting text to Policy 165.OS, in accordance with the PIC on page 17 of CD7.

Policy 168.OS: Sport and Recreation Provision

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *need to clarify reference to Table in paragraph 8.13*
- *whether a needs assessment should underpin the policy*

Inspector's Considerations and Conclusions

9.47. In accordance with Policy 168.OS, proposals which address deficiencies in the quantity and quality of sport and recreation facilities would be permitted and it identifies particular sites where this policy would apply. Paragraph 8.13 has been deleted from the Second Deposit Draft, thereby resolving the first issue. So far as the second issue is concerned, the Council has now carried out an open space needs assessment which supports the Borough's Sport and Recreation Strategy (CD54). I understand that the Council consulted widely with the local community in producing the strategy. This accords with PPG17, paragraph 4 which states that local authorities should carry out audits of local provision and identify specific needs and quantitative and qualitative deficiencies. I am satisfied that the local needs assessment and the Sport and Recreation Strategy (CD54) provide adequate justification for the policy.

Recommendation

9.48. No modification be made to the Plan in response to these objections.

Policy 169.OS: Playing Fields

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *justification for alleged shortfall in playing field provision*
- *requirement for a clear definition of open space*
- *need for a proactive response to local needs*

Inspector's Considerations and Conclusions

- 9.49. In accordance with Policy 169.OS the Council will support proposals to develop new, or enhance existing playing fields and associated facilities. A PIC has been made which proposes the deletion of the reference to the identified shortfall of playing fields and I consider that this resolves the first issue.
- 9.50. With regard to the second issue, the Council's definition of open space is set out in the Glossary on page 360 of the Second Deposit Draft and playing fields are included in point c). The Council has highlighted in EBC464 that there is a variance between the definition of open space in the 1990 Act and the more recent PPG17. The definition of open space in the Glossary has been based upon that used in the Annex to PPG17 (2002). I support this approach and do not consider that the definition is unclear or inappropriate in the context of the Plan. No modification is necessary in response to the related objection.
- 9.51. In respect of the third issue, I agree with the Council that the Plan's policies should not be viewed in isolation. The Plan should be read as a whole and there are a number of policies which can be used to enable the development of new or enhanced playing fields and associated facilities. The government guidance referred to by one of the objectors is out-of-date. There is no specific provision in the extant version of PPG17 (2002) for allowing part of a functional playing field to be developed in order to enable improvements to an existing playing field. Paragraph 15 of extant PPG17 explains the circumstances in which it may be appropriate to allow the development of a playing field. The PIC to the policy incorporates the text suggested by the objector. I recommend accordingly and no other modification is necessary.

Recommendations

- 9.52. Policy 169.OS be modified in accordance with the PIC on page 17 of CD7.
- 9.53. No other modification be made to the Plan in response to these objections.

Policies 140.OS and 144.OS (First Deposit): Playing Fields and Children's Play Areas

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *whether Policy 140.OS should not be restricted to areas where there is a shortfall*
- *whether Policy 144.OS would fail to address inequitable provision across the Borough, except through developer contributions*

Inspector's Considerations and Conclusions

- 9.54. Policy 140.OS has been deleted from the Second Deposit Draft. In general, it stated that proposals to convert existing pitches to all-weather or multi-use games facilities would be supported in areas where there was an identified shortfall of playing fields. Policy 144.OS, which supported the provision of children's play areas that would address a shortfall, has also been deleted in the Second Deposit Draft.
- 9.55. With regard to the first issue, Policy 140.OS has been deleted in response to an objection from Sport England, whose concern was that converting turf pitches to artificial playing surfaces would actually reduce the number of pitches that football and rugby clubs could use in competitive matches. In these circumstances I agree with the deletion of the policy and no modification is required in response to this issue.
- 9.56. Turning to the second issue, I note that the Council strongly refutes that it is not being proactive in improving existing and providing new children's play areas. The Council is preparing to adopt a strategy for play area provision in due course. The degree to which the Council can proactively address the shortfall of children's play areas largely depends on funding, which lies beyond the remit of this Plan, beyond providing such facilities through planning obligations. It would usually be inappropriate to include proposals for such facilities in the Plan as this would represent an excessive level of detail. I support the Council's approach in producing a separate strategy for the provision of children's play areas. The deletion of Policy 144.OS removes duplication with other policies in the Plan. No modification is necessary in response to this issue.

Recommendation

- 9.57. No modification be made to the Plan in response to these objections.

Policy 145.OS (First Deposit): Children's Play Areas

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *whether the policy should not apply to sheltered housing for the elderly*
- *whether the requirements of the policy are excessive*
- *whether Policy 158.OS of the adopted plan should be reinstated*
- *whether the policy should refer to the NPFA standards*

Inspector's Considerations and Conclusions

- 9.58. Policy 145.OS has been deleted from the Second Deposit Draft on the basis that it was considered inflexible and unduly prescriptive. The policy sought to require the provision of children's play areas in developments of ten or more dwellings and set out standards for such play areas. The Council has introduced less stringent standards in FPC Policy 165.OS. The concerns raised in the first two issues are resolved by the deletion of the policy.
- 9.59. Turning to the third issue, Policy 158.OS in the adopted EBLP (1997) relates to the provision of a new area of public open space/playing fields at Long Lane, Bursledon. It has not been carried forward into the Plan because the Council considers that it could not be implemented, due to the large number of landowners involved. I support this decision which accords with the advice in PPG12 that only proposals that are firm and can be implemented during the plan period should be included local plans.
- 9.60. In respect of the fourth issue, the reasoned justification for Policy 165.OS as set out in the FPC document refers to all of the NPFA standards and as I state in the preamble to this chapter, I endorse the FPC. No other modification is therefore necessary.

Recommendation

- 9.61. No modification be made to the Plan in response to these objections.

Policy 170.OS: Urban Parks

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *whether the policy repeats the provisions of Policy 82.H for Dowd's Farm*
- *whether the policy should be more specific with regard to the amount of parkland that will be provided*
- *whether the policy should refer to 'urban park', not 'parkland'*
- *compliance with PPG12 guidance in respect of SPG*

Inspector's Considerations and Conclusions

- 9.62. Policy 170.OS requires proposals at Dowd's Farm to include an appropriate level of open space as an urban park. The Council suggests a number of amendments to this policy in its written evidence.
- 9.63. With regard to the first issue, I agree with the objector that the housing development proposed at Dowd's Farm (Policy 82.H) will secure the urban park and as such Policy 170.OS is superfluous and should be deleted. Nonetheless, reference to the urban park at Dowd's Farm can be retained in this Chapter within the supporting text for Policy 165.OS.
- 9.64. The remaining issues are resolved by my recommendation to delete the policy.

Recommendations

- 9.65. The Plan be modified by the deletion of Policy 170.OS. The Council should consider adding the supporting text which refers to Dowd's Farm urban park to the supporting text for Policy 165.OS.
- 9.66. No other modification be made to the Plan in response to these objections.

Policy 171.OS: Public Open Space Provision at Hedge End

Objections

See Appendix A for the list of objections on this matter

Main Issue

- *implications for land owned by the County Council*

Inspector's Considerations and Conclusions

- 9.67. Policy 171.OS is concerned with the provision of additional public open space to the east of Berrywood Primary School. The reasoned justification explains that this will not only meet the needs of existing and future residents but will also enable the enlargement of the primary school's grounds.
- 9.68. In my view the policy is justified by the particular shortfall in formal playing fields in northern Hedge End. This deficit will not be made good by the development of an urban park at Dowd's Farm which is in response to other public open space need in this part of Hedge End and which makes best use of that site's characteristics. In this sense I do not consider that the policy places an unfair burden on the County Council to make provision for open space that ought to be provided on other available sites. It appears that some of the Policy 171.OS land is subject to a farm business tenancy, but there is no indication that this would prevent implementation of the policy within the Plan period. I consider that the policy is properly justified and should be retained.

Recommendation

- 9.69. No modification be made to the Plan in response to this objection.

Policy 172.OS: Allotments

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *need to frame policy in the context of an assessment of future demand for allotments*
- *whether policy should not permit any exceptions that would allow allotments to be developed for other uses*
- *whether policy does not comply with PPG17 because it only requires active allotments to be replaced*
- *whether policy wording is ambiguous with regard to the location of replacement allotment sites*
- *whether consultation with local people on the proposals for the Lakeside housing site (Policy 83.H) was inadequate*

Inspector's Considerations and Conclusions

9.70. Policy 172.OS prohibits development of allotment gardens, unless the active allotments lost are replaced. This caveat was added in the Second Deposit Draft and many of the objections relate to it. A PIC to the policy clarifies what the Council means by 'suitable locations'. I deal with the proposed housing schemes on the allotments sites at South Street/Monks Way (the Lakeside site) and Woodside Avenue, Eastleigh under Policies 83.H and 85.H respectively in the Housing Chapter. Much of the considerations and conclusions under those policies are relevant to my consideration of Policy 172.OS and I will not repeat them here.

9.71. With regard to the first issue, the Council has assessed the need for open space, including allotments, in the Borough and in its sub-areas and is well advanced in developing a strategy for allotments provision up to 2011. However, so far as allotments are concerned, substantive criticism has been levelled at the assessment's methodology and the proposed strategy in terms of both quantitative and qualitative aspects. There is particular concern at the apparent reliance on increasing vacancy rates in recent years as a measure of demand, and well-documented evidence leads me to conclude that more work needs to be done to assess latent demand and likely future demand. The DETR publication, 'Good Practice Guide for the Management of Allotments' (2001) states that effective promotion is a defining characteristic of good practice in allotment management and reiterates that the 1925 Allotment Act will not allow the disposal of allotment land unless adequate steps have already been taken to promote the use of the allotments.

9.72. I draw the same conclusions as set out under Policies 83.H and 85.H on the

matters of principle. I consider that further work is required to complete a meaningful assessment of the demand for allotments provision in the Borough, including latent demand and demand that may arise in the future. This is also required to assess whether any replacement facilities would be at least as accessible to current and potential new users, and at least equivalent in terms of size, usefulness, attractiveness and quality. I refer to my recommendation under Policy 83.H in respect of this matter.

- 9.73. Subject to my conclusions above with regard to assessment of need, I turn to the second issue. PPG17, paragraph 3 states that the Council should undertake audits of open space and recreation land to determine specific needs or surpluses in different types of open space and recreation land. It follows that where a surplus of a specific type of open space is identified through an open space needs assessment or audit, then in principle the Plan should allow for the redevelopment of that land to another use. Moreover, the demand for new housing and other uses needs to be balanced against protection of allotments and it would be unduly inflexible to prevent any loss of allotment lands, regardless of the circumstances. No modification should be made to the policy in response to the related objections.
- 9.74. In respect of the third issue, the Council cites high vacancy rates across the Borough's allotment sites as justification for the caveat in the policy that requires the replacement of only those active sites lost in any redevelopment scheme. I refer to my considerations above regarding the adequacy of the Council's publicity about its allotment sites. I consider it would be wrong of the Council to assume that vacant plots on allotments sites are a direct result of lack of demand. Paragraph 18 of PPG17 also states that poor quality or under-used recreational land should not be taken as indicating an absence of need in the area. A clear understanding of latent and future demand must be established. Reference to 'active' allotments should be deleted. If an up-to-date audit reveals that the level of demand for allotments would not justify the replacement of all the allotments proposed for development, then an exception to the development plan policy could be allowed.
- 9.75. With regard to the fourth issue, the Council has added the words, 'conveniently accessible for plot holders, including those who need to be relocated' to the text of the Policy as a PIC. This qualifies what the Council means by 'suitable locations' and in my view it is a satisfactory response to the concerns expressed in the objections.
- 9.76. In respect of consultation, subject to my comments above regarding the needs assessment, I do not consider that the proposals have been inadequately publicised. The local plan's preparation has entailed formal public consultation on the Second Deposit Draft proposals as well as a Public Inquiry into objections and in my view these have provided ample opportunities for the local community to be informed of, and to comment on the proposals.

Recommendations

- 9.77. Policy 172.OS be modified in accordance with the PIC on page 17 of CD7, except that the word `active' be deleted.
- 9.78. No other modification be made to the Plan in response to these objections.

Policy 173.OS: Rights of Way and Access to the Countryside

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *whether the proposed footpath between Mercury Gardens and Mercury Marina should be retained*
- *whether policy is a statement of intent and should be deleted*

Inspector's Considerations and Conclusions

- 9.79. Policy 173.OS states the Council's support for two new footpaths in Hamble-le-Rice.
- 9.80. With regard to the first issue, the Council accepts in EBC318 that the planning context for this proposal has changed since it was first included in the adopted EBLP (1997). I note the Council's concern about the potential impact of public access on nature conservation interests in the area and agree that it is therefore appropriate to delete this proposal.
- 9.81. Turning to the second issue, I agree with the objector that the policy is in fact a statement of intent. Moreover, it has remained unimplemented throughout the previous plan period and there is no evidence that it is likely to be implemented through this Plan. The Council states in its evidence that the development of the path is an 'aspiration'. If the Council is satisfied that the path will be implemented during the Plan period, I would support the retention of a reference to it in the explanatory text but not in its current form as a policy; otherwise reference to the matter should be deleted.

Recommendations

- 9.82. The Plan be modified by the deletion of any reference to the proposed footpath between Mercury Gardens and Mercury Marina.
- 9.83. The Council should re-valuate the likelihood of implementing the proposed footpath between Hamble Common and Hamble Point within the Plan period, taking account of the likelihood of securing funding for the proposal. If the Council is satisfied that the path will be implemented during the Plan period then a reference to it should be included in the explanatory text; otherwise, reference to the matter should be deleted from the Plan.

Policy 174.OS: Rights of Way and Access to the Countryside

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *impact of certain routes on designated nature conservation areas*
- *whether the route from Church Road, Bishopstoke to Winchester Road is capable of being implemented*

Inspector's Considerations and Conclusions

- 9.84. Policy 174.OS proposes seven new pedestrian/cycle path routes in order to extend and improve the Borough's Green Network. A PIC is proposed which adds a caveat to the first paragraph of the policy to the effect that an appropriate assessment must be carried out to determine the potential impact of the paths on areas of nature conservation value. One of the routes is also changed by the PIC and a new route is added. Another PIC is proposed to amend paragraph 9.26 of the supporting text so that it refers to the Habitats Regulations and the need to carry out an assessment on the impact of the footpaths on Ramsar sites and Special Protection Areas.
- 9.85. With regard to the first issue, the majority of objections relate to a proposed route through Hacketts Marsh SSSI. In response, the Council has re-routed the cycle/pedestrian path away from the SSSI and this would resolve the matter. The other site-specific objection relates to the route at Stoke Park, Bishopstoke; this is also addressed in the Second Deposit Draft by re-routing away from the Judges Copse Gully SINC. The remaining objections would be resolved by the proposed PICs to the policy and paragraph 9.26 referred to above.
- 9.86. Turning to the second issue, the Council has agreed with the objector that the route referred to in point (i) (Church Road Bishopstoke, via Stoke Park Woods to Winchester Road) cannot be implemented due to physical constraints. The PIC to Policy 174.OS amends the route so that it terminates at the junction with Stoke Common Road, Bishopstoke. This resolves the issue and I recommend accordingly.

Recommendations

- 9.87. Paragraph 9.26 and Policy 174.OS be modified in accordance with the PICs on page 18 of CD7.
- 9.88. No other modification be made to the Plan in response to these objections.

Policy 175.OS: Rights of Way and Access to the Countryside

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *route of proposed bridleway along Satchell Lane, Hamble*
- *route of bridleway along private land at Hall Lands Lane, Fair Oak*

Inspector's Considerations and Conclusions

- 9.89. Policy 175.OS seeks to create new and improved links between existing bridleways and equine establishments and lists nine new routes. A PIC is proposed which deletes two of the routes and adds a new one (Moorgreen Road to Tollbar Way, Hedge End).
- 9.90. With regard to the first issue, the Council has proposed a PIC to overcome the related objection by re-routing the bridleway inside the airfield in accordance with the objector's suggested alternative route. This new route is shown on Map 13 of CD7.
- 9.91. In respect of the second issue, the Council has proposed a PIC to delete the route (Mortimers Lane, via Hall Lands Lane, to Park Hills Wood) in acknowledgment that it cannot be implemented without the consent of the land owners. This addresses the related objection and I recommend accordingly.

Recommendation

- 9.92. Policy 175.OS and the Proposals Map be modified in accordance with the PICs on page 18 and Map 13 of CD7.

Policy 177.OS: Moorings

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *need for less prescription and to take account of the emerging River Hamble Moorings Plan*
- *uncertainty about the meaning of 'restricted areas'*

Inspector's Considerations and Conclusions

- 9.93. Policy 177.OS restricts the number of moorings on the River Hamble to 3261 in number in accordance with the limit imposed by the Harbour Authority and it identifies restricted areas where no moorings will be permitted.
- 9.94. With regard to the first issue, the Council wishes to retain the policy in the Plan until such time as the emerging moorings plan has been adequately consulted upon and adopted. Given that the moorings plan is still in draft form and that, according to the Borough and County Council, it needs further work before adoption, I am satisfied that the current moorings limit proposed by the policy should remain in force. The current limit of 3261 accords with the general limit referred to in the County Council and Crown Estate consultation document (Towards a River Hamble Moorings Plan) of 'around 3300'. As the Council has indicated, the current moorings limit can be reviewed in future local development documents. No modification is required in response to the related objections.
- 9.95. Turning to the second issue, the Council suggests in EBC309 that it has amended the policy in the Second Deposit Draft in response to the objection. However, this appears to be an error since no amendments have been made (although the policy and text are emboldened). Nonetheless, the supporting text for the policy explains that the Council wishes to protect the character of certain stretches of the River Hamble and will prohibit moorings along these parts of the river, which are identified on the Proposals Map. Policy 177.OS also refers to the Proposals Map. I consider that the policy and supporting text are sufficiently precise and that the supporting text in paragraph 9.29 provides adequate explanation as to the reasons for identifying the restricted areas. No modification is therefore necessary.

Recommendation

- 9.96. No modification be made to the Plan in response to these objections.

Policy 178.OS: Moorings

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *need for less prescription and to take account of the emerging River Hamble Moorings Plan*
- *whether policy should refer to public access to the river*

Inspector's Considerations and Conclusions

- 9.97. Policy 178.OS (see correction of the policy numbering in CD4) seeks to restrict the development of new jetties, slipways, pontoons and other mooring structures to existing boatyards or built-up areas along the river.
- 9.98. With regard to the first issue, I refer to my response under Policy 177.OS above in respect of the emerging River Hamble Moorings Plan. As the Council has stated in EBC503, the River Hamble Moorings Plan is still in draft form. Until that plan is formally adopted I agree that the current policy should remain in force to ensure that the river bank and its nature conservation value are protected from inappropriate development of boat moorings and associated infrastructure. No modification is required in response to the related objections.
- 9.99. Turning to the second issue, it appears from EBC168 that the Council omitted text from the Second Deposit Draft referring to public access that it had previously agreed to include in the policy. Nor is this rectified in CD7. I recommend that the text of Policy 178.OS be modified in accordance with the agreed change in EBC168.

Recommendations

- 9.100. Policy 178.OS be modified by adding, 'or areas where there is currently public access' to the end of the policy text, in accordance with the Council's response in EBC168.
- 9.101. No other modification be made to the Plan in response to these objections.

Policy 180.OS: The Rose Bowl and Tennis Centre Special Policy Area

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *whether the policy is unduly restrictive*
- *need to assess impact of proposals on the adjacent SINC*
- *need to reduce flood risks downstream*

Inspector's Considerations and Conclusions

9.102. Policy 180.OS is a criteria-based policy which seeks to control development in the Rose Bowl and Tennis Centre Special Policy Area (SPA). All of the criteria must be complied with, covering matters such as the protection of the open character of the site, the design of development in the SPA, floodlighting, vehicular access and facilities for pedestrian and cyclists.

9.103. With regard to the first issue, PPG12, Annex A, paragraph 23 states that local plan policies should be clearly and unambiguously expressed. The addition of the word 'all' clarifies the scope of Policy 180.OS and improves it in this respect. I acknowledge the concerns expressed by Hampshire County Cricket Club that the future development of the Rose Bowl and associated leisure developments should be allowed to proceed without undue restriction. Nonetheless, it is clear to me that future development in the Rose Bowl SPA will have to take account of the sensitive nature of the site and in particular its location within the Southampton and Hedge End Strategic Gap. The criteria seek to do this by ensuring that the design, location and scale of future development in the SPA would respect the open nature of the site and its location outside the urban edge. As the Council states, the criteria are linked and are not independent of each other. It would not be appropriate for applicants to elect to conform with some criteria and not others. I am satisfied that the criteria taken together strike the right balance and that the policy wording, including 'all', are appropriate.

9.104. Turning to the second issue, the SINC (Telegraph Woods) which lies adjacent to the Rose Bowl SPA is protected under Policy 24.NC. PPG12 advises that over-elaborate plan making should be avoided. The Plan should be read as a whole and it is therefore not necessary to add a cross-reference to Policy 24.NC in this policy. This would only serve to further complicate what is already a weighty policy, contrary to the aforementioned advice in PPG12.

9.105. In respect of the third issue, the Council has added a new criterion (viii) to the policy in the Second Deposit Draft, referring to the need to ensure that surface water drainage does not increase flood risk elsewhere. This

overcomes the related objection and no modification is therefore required.

Recommendation

9.106. No modification be made to the Plan in response to these objections.

OSEXC: Omissions from the Public Open Space, Sport and Recreation Chapter

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *whether Policy 158.OS of the adopted plan should be reinstated*
- *need to base policies in this Chapter on a robust open space needs assessment*
- *whether the deleted text in paragraph 9.24 (previously 8.23) should be reinstated*

Inspector's Considerations and Conclusions

9.107. With regard to the first issue, I refer to my previous response under Policy 145.OS above.

9.108. Turning to the second issue, the related objection has been overtaken by the Further Proposed Change (FPC) (CD89) introduced by the Council during the Inquiry and which established locally-derived open space standards resulting from an open space needs assessment. No modification is required in response to this issue.

9.109. In respect of the third issue the deletion of text in paragraph 9.24 simply reflects the need to keep the Plan up-to-date so that it takes account of the most recent advice and guidance. PPG17 was published in 2002 and represents the most up-to-date guidance on open space and recreation, including allotments. There is no need to reinstate the deleted text. I refer also to my previous response on Policy 172.OS above, where I conclude that it is appropriate to allow development on allotments that are deemed to be surplus to requirements as a result of an open space needs assessment or audit.

Recommendation

9.110. No modification be made to the Plan in response to these objections.

CHAPTER 10

TOURISM AND THE ARTS

Paragraphs 10.1 and 10.2: Tourism and the Arts Objectives

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *whether distinction should be drawn between greenfield sites and existing tourism sites*
- *use of sub-headings*

Inspector's Considerations and Conclusions

- 10.1. Before considering specific points raised by objectors, there are some fundamental matters concerning this chapter of the Plan that need to be highlighted. It is noted that the Council has removed 'Recreation' from this chapter and placed it within Chapter 9, 'Public Open Space, Sports and Recreation'. This is an understandable change with which I concur although not with the manner in which policies and text have been renumbered and relocated between the First and Second Deposit Drafts which has caused unnecessary confusion and difficulties for the reader.
- 10.2. However, as consideration of the overall objections reveals, the remaining policies and text within the Tourism and the Arts Chapter are fragmented and in some instances confusing, making it difficult to discern a logical policy progression within the Plan. In particular, the word 'leisure', which appears both in text and policy, entails significant overlap and confusion with policies in Chapters 8 and 9 of the Plan. The remaining policy content of the chapter would benefit from a review of its most appropriate place in the Plan as part of a fundamental restructuring of other chapters. But in view of the importance of adopting the Plan at the earliest possible date, I simply draw this matter to the attention of the Council for consideration in future development documents. In the meantime however, it would be helpful to modify the context box, to explain briefly that tourism cannot be regarded as a single or distinct category of land use and that the linkages identified between the chapter and other parts of the Plan highlight its wide-ranging policy connections. It would also be desirable to delete the word 'leisure' from both text and policies in Chapter 10.
- 10.3. Turning to the specific issue raised about paragraph 10.1 of the Plan, the objectives for the Tourism and the Arts Chapter have been redrafted and expanded in the Second Deposit Draft. The first issue above in this respect concerns sustainable development. The objector has proposed that the Plan should differentiate between proposals for tourism development on existing tourism sites and greenfield sites, implying that the former is likely to be more sustainable.

- 10.4. The first objective of the Tourism and the Arts chapter aims to implement sustainable tourism initiatives. This is consistent with advice in PPS1. I concur with the Council's argument that redevelopment of an existing tourism site will not automatically be more sustainable than development of a greenfield site, as this will depend upon a variety of factors such as location, proximity to other facilities, transportation links and so on.
- 10.5. The second issue concerns the headings to paragraphs 10.2 and 10.3. This matter is addressed under Policy 182.TA.

Recommendations

- 10.6. The Context Box for Chapter 10 of the Plan be modified by the inclusion of a statement that tourism cannot be regarded as a single or distinct category of land use and that the linkages identified between the Chapter and other parts of the Plan highlight its wide-ranging policy connections.
- 10.7. The Council should give consideration to deleting references to 'leisure' in the policies and supporting text in Chapter 10.
- 10.8. No other modification be made to the Plan in response to these objections.

Policy 182.TA: Leisure and Tourism Facilities in the Countryside

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *whether criterion (iii) and reference to Policy 1.CO in criterion (i) should be deleted*
- *compatibility with PPG6 re need and the sequential approach*

Inspector's Considerations and Conclusions

- 10.9. Policy 182.TA is a criterion-based policy which seeks to control proposals to develop, expand or improve existing leisure and tourism facilities in the countryside. My comments in paragraph 10.1 regarding the removal of the word leisure from this policy should be noted.
- 10.10. The objector's concern that the cross-reference in criterion (i) to Policy 1.CO would prevent tourism development in the countryside is not accepted, although it rightly seeks to prevent tourism development that would be more appropriately located in urban areas. Policy 1.CO criterion (iv) makes clear that development that would accord with other policies of the Plan would be acceptable, and therefore I do not consider that there is any fundamental conflict between the two policies or that the cross-reference in Policy 182.TA should be deleted. In my view criterion (iii) is also justified, since it would permit small-scale buildings or structures that are related to an open tourist use while protecting the countryside from an unnecessary or inappropriate scale of tourism development.
- 10.11. In respect of the second issue, PPG6 has recently been replaced by PPS6, but need and the sequential approach remain key elements in the assessment of tourism development. The Council has accepted the point and proposes a PIC on page 18 of CD7. I consider that this would assist in resolving the objection, although the words 'to the satisfaction of the Borough Council' are both superfluous and imprecise and the policy would lose nothing by their deletion. Also, the reference to PPG6 should be deleted and replaced by one to the sequential approach to the selection of sites. The second sentence of paragraph 10.3 requires modification so that it more properly reflects national and strategic policies on the location of tourism development. And for the benefit of the reader, a cross-reference in paragraph 10.3 to the supporting text of Policy 151.TC, which (in accordance with my modifications) explains the sequential approach, should be provided.

Recommendations

- 10.12. Criterion (vii) of Policy 182.TA be modified in accordance with the PIC on page 18 of CD7, except that the words 'to the satisfaction of the Borough Council' be deleted and the reference to the sequential approach be modified to refer to 'the sequential approach to the selection of sites'.
- 10.13. The second sentence of paragraph 10.3 be re-worded and a third sentence added as follows, 'Tourism proposals in the urban fringe may be appropriate in certain circumstances but particular care will have to be taken on sites within the strategic or local gaps. Proposals which would be more appropriately located in urban areas will not be acceptable unless they can satisfy a test of need and show that a sequential approach to site selection has been followed, as outlined in paragraph 8.34 of the Plan.
- 10.14. The Council should consider deleting the word 'leisure' from the policy and in criterion (iii) replacing it by the word 'tourism'.
- 10.15. No other modification be made to the Plan in response to these objections.

Policy 183.TA: Leisure and Tourism Facilities in Urban Areas

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *compatibility with national planning policy on need and the sequential approach*
- *whether the policy should be integrated into Policy 151.TC*

Inspector's Considerations and Conclusions

- 10.16. This policy concerns proposals for additional leisure and tourist facilities in urban areas.
- 10.17. With regard to the first issue, the original policy wording omitted any test of need for such facilities. In response to objections, the amended Second Deposit Draft includes an additional criterion in this respect. Unfortunately this wording appears muddled as it links need and the sequential test (sic). The Council proposes a revision of this wording in EBC311 which provides more clarity and, subject to removing the direct reference to national planning policy guidance, this should be substituted.
- 10.18. Turning to the second issue, the objector considers that Policy 151.TC could be modified thus eliminating the need for this policy. The Council points out that Policy 183.TA covers additional matters but agrees that a link should be made between the two policies and has recommended the inclusion of additional wording to the supporting text. As referred to above, in my view there is considerable scope for a more integrated and concise document, but in the interests of expediting the adoption of the Plan, I accept that this objection can be overcome by modification to the supporting text as proposed by the Council.

Recommendations

- 10.19. Criterion (iv) of Policy 183.TA be modified as follows:-
`the need for such facilities must be established and the Council will also require proposals to be consistent with the sequential approach to the selection of sites`.
- 10.20. Paragraph 10.4 be modified to include the following:-
`Applicants for planning permission should also consider Policy 151.TC on major edge-of-centre or out-of-centre development for retail, leisure, or other town centre uses which attract a lot of people.`
- 10.21. No other modification be made to the Plan in response to these objections.

Policy 185.TA: Hotel Provision

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *whether a hotel should be allocated at Riverside Park, Hamble*
- *opposition to a hotel on the Hamble peninsula*

Inspector's Considerations and Conclusions

- 10.22. In response to demand identified in the Eastleigh Tourism Strategy (2003-2006) (CD64), this policy allows for the approval of a new hotel on a suitable site within the urban edge of the Hamble Peninsula, provided that the impacts of development are acceptable.
- 10.23. The first objection is made on the grounds that no suitable sites for such a hotel exists within the urban edge but that a suitable site exists at Riverside Park, and this should be identified on the Proposals Map. The site referred to lies to the north of Hamble-le-Rice, outside the defined urban edge and within an area protected by Policy 1.CO. Hotel development is incompatible with this policy and in 2001, the Council refused outline planning permission for hotel development at Riverside Caravan Park on this basis. The Council considers that the identified need for a hotel would not justify such a departure from policy. Paragraph 10.9 indicates that a hotel on the Hamble peninsula may also provide leisure facilities for local residents. A facility of this nature needs to be accessible to the local community in order to meet sustainable development objectives. In my view the peripheral location of the Riverside Caravan Park and its relatively poor accessibility by transport modes other than the car would not contribute to a more sustainable pattern of development. For these reasons I consider that there is no justification to allocate the Riverside Caravan Park site for hotel development.
- 10.24. The second objection opposes development of a hotel on the Hamble Peninsula but with no substantiation of the reason for the objection. The Council on the other hand provides a substantive justification in terms of the demand for new hotel facilities. In the light of the evidence I find no reason to delete the policy.

Recommendation

- 10.25. No modification be made to the Plan in response to these objections.

Policy 186.TA: Conference Centre

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *whether the proposal is unlikely to be implemented within the plan period and could jeopardise the development of the Chickenhall Lane Link Road (CLLR)*
- *whether the policy is ambiguous and not in accordance with PPG6 (paragraph 1.15) or PPG13 (paragraph 3)*

Inspector's Considerations and Conclusions

- 10.26. This policy allows for the development of a conference centre at either the Northern Business Park or at Barton Park, Eastleigh, justified on the basis of the Borough's location and proximity of major transport routes.
- 10.27. In response to the objections the Council proposes the deletion of the references to the Northern Business Park, thus focussing the identification of a conference centre site within Barton Park. This overcomes the concerns about the impact on the NBP and for the reasons set out under Policies 56.BE and 57.BE in this report, I consider that the proposal would be broadly compatible with PPS6. I commend the suggested modification.

Recommendations

- 10.28. Paragraph 10.11 and Policy 186.TA be modified in accordance with EBC308.
- 10.29. No other modification be made to the Plan in response to these objections.

Policy 187.TA: Percent for Art

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *justification for seeking contributions from all developments, even small schemes*
- *whether the wording is sufficiently clear*
- *compatibility with Circular 1/97*

Inspector's Considerations and Conclusions

10.30. This policy seeks to promote the commissioning of public art in new development through developer contributions.

10.31. The issues summarised above are considered as a whole. In response to the objections, the Council has put forward an amended policy in the PIC document (CD7). This changes the emphasis of the policy away from a requirement for developers to contribute towards *encouraging* developers to make a contribution of 1% of the cost of new development for commissioning art work. The amended policy does not set a development size threshold for which contributions would be sought but EBC321 indicates that the Council will not seek contributions from small-scale developments.

10.32. I consider that the PIC makes it clear that the Council will encourage developers to set aside a contribution for public art and will not view this as a requirement that could be used as a means of withholding planning permission. It is not clear however from either the policy or the reasoned justification whether contributions might be encouraged from small developments. Subject to this being made clear I endorse the PIC, but would point out to the Council that the policy is in effect a statement of intent rather than a policy.

Recommendations

10.33. Policy 187.TA be modified in accordance with the PIC on page 19 of CD7.

10.34. Paragraph 10.12 of the Plan be modified to make clear, as explained in paragraphs 2 and 3 of EBC321, that it is not intended to seek contributions from small-scale development.

Plan 58: Strawberry Trail

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *whether Plan 28 should be in Chapter 9*

Inspector's Considerations and Conclusions

10.35. Plan 28 relates to Policy 184.TA which seeks to protect and enhance the Strawberry Trail. This policy forms part of Eastleigh's Integrated Access Project which has the dual function of improving access to the countryside for both residents and visitors to the Borough. Whilst it would be possible to move this policy and plan to the Public Open Space, Sport and Recreation chapter, I consider it is sufficiently appropriate to Chapter 10 to remain within it. In these particular circumstances however, a cross-reference to this policy within Chapter 9 would be helpful.

Recommendations

10.36. The Plan be modified by the addition of a cross-reference to Policy 184.TA within Chapter 9.

10.37. No other modification be made to the Plan in response to this objection.

CHAPTER 11

CONSERVATION AND LISTED BUILDINGS

Paragraph 11.1: Conservation and Listed Buildings Objectives

Objections

See Appendix A for the list of objections on this matter

Main Issue

- *whether aims are consistent with statutory provisions*

Inspector's Considerations and Conclusions

- 11.1. Paragraph 11.1 sets out the Council's aims with regard to conservation and listed buildings.
- 11.2. Objection was raised at first deposit stage to the second and third bullet points. The Council has revised these bullet points by adding 'where appropriate' to bullet point two and deleting 'appropriate' from bullet point three. These changes clarify the aims and satisfy the objector's concerns confirmed by comments received from the objector on the Second Deposit Draft.

Recommendation

- 11.3. No modification be made to the Plan in response to the objection.

Policy 188.LB: Archaeology

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *need for an additional policy to cover other sites of archaeological significance which should be preserved*
- *whether policy could enable the loss of scheduled ancient monuments and should be rewritten*
- *whether the revised wording fails to provide protection to 'other nationally important remains and their settings'*
- *need to show Scheduled Ancient Monuments on the Proposals Map*

Inspector's Considerations and Conclusions

- 11.4. This policy aims to protect scheduled ancient monuments (SAMs). Core Document 27 provides some additional information on SAMs and a list of the 8 SAMs within Eastleigh.
- 11.5. With respect to the first issue and in response to comments received on the First Deposit, the Council has altered Policy 188.LB and inserted an additional policy, 189.LB, to protect non-scheduled sites of archaeological significance. I consider that this addresses the particular issue.
- 11.6. Turning to the second and third issues, amendments to Policy 188.LB address some of the objections raised. However, English Heritage is still not satisfied that the revised wording provides protection for 'other nationally important remains and their settings' and thus does not accord with advice in PPG16. This matter needs to be addressed and I recommend that additional text which refers to other nationally important monuments be added to the policy.
- 11.7. Finally, it is noted that the Council has included the identification of scheduled ancient monuments on the Proposals Map as a revision to the First Deposit Proposals Map under point 96 of CD5. This is welcomed.

Recommendations

- 11.8. Policy 188.LB be modified to read, 'Development which would destroy or damage, directly or indirectly, a scheduled ancient monument or other nationally important monument or adversely affect their settings will be refused.'
- 11.9. No other modification be made to the Plan in response to these objections.

Policy 189.LB: Archaeology

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *need to show non-scheduled sites on the Proposals Map*
- *compatibility with advice in PPG16 in respect of non-scheduled sites*

Inspector's Considerations and Conclusions

- 11.10. Policy 189.LB seeks to protect non-scheduled sites of archaeological significance.
- 11.11. With regard to the first issue, there is no requirement in PPG16 for non-scheduled sites to be identified on a Proposals Map. Paragraph 16 states that local authorities may identify unscheduled sites of local importance in development plans. This could be in the form of a list, rather than on the map. The Council identifies the Borough's scheduled ancient monuments in paragraph 11.2 of the Plan and in paragraph 3.3.4 of the Landscape Assessment of Eastleigh Borough (CD66). In neither document does the Council indicate a list of locally important archaeological sites. I have no information before me which indicates whether there are any locally significant archaeological sites or indeed whether a survey has been undertaken on behalf of the Council to identify such sites. If this work has not been undertaken then I strongly recommend that it should be carried out as part of LDF preparations so that identified locally-significant archaeological sites can at least be listed in the LDF. Although not ideal, the policy as worded is general enough that it can be used to investigate and if necessary protect sites which are of local significance on a case by case basis. There is no need to identify such sites on the Proposals Map and therefore no modification is necessary.
- 11.12. Turning to the second point, advice in PPG16 indicates that the planning authority may decide that the significance of archaeological remains of lesser importance is not sufficient when weighed against other material considerations, including the need for development, to justify their physical preservation in situ; it may therefore decide that the proposed development should proceed. It is noted that in EBC252 the Council states it is satisfied that Policy 189.LB accurately reflects advice in PPG16. Although the policy as worded implies that development could be permitted under certain circumstances, it is not sufficiently clear that one of the tests includes weighing the significance of the locally important remains against other material considerations, including the need for development. The policy should be reworded to clarify this point.

Recommendations

11.13. The first sentence of Policy 189.LB be modified to read, 'Development which would adversely affect other non-scheduled sites of archaeological significance or their settings will only be permitted where the Borough Council is satisfied that preservation of archaeological remains in situ is not feasible and the importance of the development is sufficient to outweigh the value of the remains. The Council will only'.

11.14. No other modification be made to the Plan in response to these objections.

Policy 190.LB: Archaeology

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *need to reflect range of evaluation techniques available*

Inspector's Considerations and Conclusions

11.15. This policy aims to ensure that developers carry out archaeological evaluation where there is evidence that such remains may exist.

11.16. The policy requires the developer to carry out an appropriate level of evaluation, implying that a range of techniques is available. Deletion of 'archaeological field assessment' has clarified the matter and no modification is required.

Recommendation

11.17. No modification be made to the Plan in response to the objection.

Policy 191.LB: Conservation Areas

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *need to amend wording, particularly with regard to the designation of conservation areas*
- *need to safeguard the setting of conservation areas*
- *need to consider the relationship between existing buildings and new build, alterations and extensions*
- *whether Old Bursledon Conservation Area should be enlarged*
- *need to limit visual impact of new and existing overhead power lines in conservation areas and avoid damage to trees*

Inspector's Considerations and Conclusions

- 11.18. This policy seeks to preserve or enhance the character or appearance of conservation areas. CD27 lists the eight conservation areas in Eastleigh and provides information and advice regarding the implications of conservation area status.
- 11.19. In respect of the first point, it is noted that EBC244 has highlighted some alterations which have been made to both policy and text. These have satisfied some of the objectors' concerns and have been confirmed by comments received. Two additional changes are however required in response to objections as well as to accord with the Planning (Listed Building and Conservation Areas) Act 1990 section 69 and advice in PPG 15. Firstly, in paragraph 11.8 bullet points 1 and 4, the word 'and' should be changed to 'or', and secondly 'proposed' should be deleted in Policy 191.LB paragraph (v).
- 11.20. Turning to the second point, it is unclear whether the Council has picked up on English Heritage's concern that the setting of conservation areas should also be safeguarded as advised by PPG15 paragraph 4.14. This matter should be addressed by altering criterion (i) of 191.LB.
- 11.21. The third issue raises concern that the policy does not allow for due consideration of the relationship between an existing building and a proposal for its alteration and/or extension. As worded, criteria (iii) and (vi) appear to consider only the impact of such alterations or extensions on adjoining buildings. This matter should be addressed by altering the wording of criteria (iii) and (vi) of the policy.
- 11.22. With regard to the boundary of Old Bursledon Conservation Area, the Council in its proof EBC245 has assessed the area as having no group value but has recommended that three properties should be included on the list

of buildings of local interest. Under the Planning (Listed Buildings and Conservation Areas) Act 1990, the local planning authority has the power to designate and alter conservation area boundaries at any time, and objectors should note that this is a statutory process that is separate from the local plan process. Therefore the absence of any reference in the Plan to the suggested enlargement would not preclude designation or alteration at some future date should evidence of special architectural or historic interest support conservation area designation. No modification should be made in this respect.

- 11.23. Finally, with regard to the last point, the installation or replacement of electricity transmission lines is permitted development in conservation areas. Trees in conservation areas are protected under Part VIII section 211 of the Town and Country Planning Act 1990 and further information in this regard is available in CD27. I agree with the Council that Policy 191.LB and other policies in the Plan (e.g. 60.BE) provide sufficient protection in respect of the above. No modification to the Plan is required in this respect.

Recommendations

- 11.24. Paragraph 11.8, bullet points 1 and 4 of the Plan be modified by replacing 'and' with 'or'.
- 11.25. Criterion (i) of 191.LB be modified to state, 'the proposal preserves or enhances the character or appearance of the conservation area or its setting;'
- 11.26. Criterion (iii) of Policy 191.LB be modified to read, 'the mass, materials and form of the building and associated landscape features are in scale and harmony with the existing and adjoining buildings and the area as a whole and the proportions of its parts relate well to each other and to the existing building and to adjoining buildings;'
- 11.27. Criterion (v) of Policy 191.LB be modified by the deletion of the word 'proposed'.
- 11.28. Criterion (vi) of Policy 191.LB be modified to read, 'the materials to be used are appropriate to and in sympathy with the existing buildings and the particular character of the area, and...'
- 11.29. No other modification be made to the Plan in response to these objections.

Policy 192.LB: Demolition of Buildings in Conservation Areas

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *need to amend specific wording of the policy in a number of respects*
- *whether the word 'preserve' be included as a test for demolition proposals*
- *whether a separate criterion on replacement dwellings in conservation areas should be included*

Inspector's Considerations and Conclusions

- 11.30. Policy 192.LB seeks to control the demolition of buildings in conservation areas.
- 11.31. With regard to the first issue a number of alterations made in the Second Deposit Draft address some of these objections. It is noted that suggestions have been made about detailed wording changes to the policy to ensure that all criteria are met before consent for demolition can be granted. This would reduce the flexibility and effectiveness of this policy and is not recommended.
- 11.32. Turning to the second point, concerns have been raised regarding the omission of the word 'preserve' in relation to demolition proposals. The presumption against demolition is clearly stated in PPG15 i.e. that where buildings make a positive contribution to the character or appearance of a conservation area then they should be retained. In the context of the policy as worded, and having regard to the Council's concerns that the removal of a building or feature cannot preserve the appearance of an area, I consider that 'preserve' should not be included in the policy.
- 11.33. Finally, a request for a separate criterion for replacement dwellings in conservation areas has been made. It is appreciated that objectors are concerned that inappropriate replacement development has taken place in conservation areas. In this regard a more robust policy could be achieved by the addition of wording to criterion (iii) and I recommend accordingly.

Recommendations

- 11.34. The last part of criterion (iii) of Policy 192.LB be modified and extended to read, '.... concurrently approved and such a scheme would positively enhance the character or appearance of the conservation area'.
- 11.35. No other modification be made to the Plan in response to these objections.

Policy 194.LB: Advertisements in Conservation Areas

Objections

See Appendix A for the list of objections on this matter

Main Issue

- *need to reflect advice in PPG19*

Inspector's Considerations and Conclusions

11.36. This policy seeks to control advertisements in conservation areas.

11.37. The alternative text proposed by the objector is very detailed. The Council has simplified this and altered criterion (v) appropriately to meet the objector's concerns. I accept these changes and modification is not necessary in response to the related objection.

Recommendation

11.38. No modification be made to the Plan in response to this objection.

Paragraph 11.17: Listed Buildings

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *omission of specific reference to the presumption in favour of retention of listed buildings*
- *need for more explanation in the text regarding the exceptional circumstances test for demolition*

Inspector's Considerations and Conclusions

- 11.39. Policy 195.LB is a new policy in the Second Deposit Draft which concerns the demolition of listed buildings, while Policy 196.LB seeks to control the alteration or extension of a listed building. Paragraph 11.17 contains supporting text regarding alterations and improvements and in respect of archaeological investigation.
- 11.40. In respect of the first issue the Council considers that the addition of Policy 195.LB in the Second Deposit Draft adequately covers this point but I do not agree. The policy concerns demolition and would benefit from the inclusion of wording in the reasoned justification which sets out the presumption in favour of the preservation of listed buildings and their settings.
- 11.41. In respect of the second issue, the Council states that paragraph 11.17 is the supporting text to Policy 196.LB relating to the alteration or extension of a listed building. Following deletion of repeated wording (which was welcomed by the objector), the supporting text is minimal. It is suggested that the text is either divided appropriately to provide separate explanations for these policies or the two policies appear together and the text is expanded. In any event, the text does not contain an explanation of the objectives of Policy 195.LB nor the exceptional circumstances under which consent for demolition may be granted.
- 11.42. Following a decision as to whether to combine Policies 195.LB and 196.LB or not, paragraph 11.17 should be re-ordered and wording stating the objectives of these policies should be included i.e. the preservation of historic buildings. Additionally, some guidance as to the exceptional circumstances under which consent for demolition may be granted should be included. Owners/applicants should also be encouraged to seek early advice from the planning authority.

Recommendations

- 11.43. The reasoned justification for Policy 195.LB be modified to set out the presumption in favour of the retention of listed buildings and their settings.

11.44. The Council should give consideration to grouping Policies 195.LB and 196.LB together and providing a modified and expanded reasoned justification for both of them. The explanatory text should be modified and expanded to cover both demolition of listed buildings and alteration or extension of listed buildings and to provide guidance as to the exceptional circumstances under which consent for demolition may be granted. Owners/applicants should also be encouraged to seek early advice from the planning authority.

11.45. No other modification be made to the Plan in response to these objections.

Policy 197.LB: Buildings of Local Importance

Objections

See Appendix A for the list of objections on this matter

Main Issues

• whether Victoria Inn, Allbrook; properties between Barton Road and Dutton Lane Eastleigh, and Nightingale Lodge, Victoria Road, Netley Abbey should be included

Inspector's Considerations and Conclusions

11.46. This policy seeks to protect buildings on the list of Buildings of Special Local Architectural and Historic Interest.

11.47. The Council in its proof EBC248 has stated that the Council's Architect has assessed properties between Barton Road and Dutton Lane, Eastleigh and the Victoria Inn, Allbrook and has concluded that they do not meet the criteria for inclusion on the local list. I am satisfied that an assessment has been carried out by a qualified Architect and do not consider it would be appropriate to include these properties on the local list.

11.48. With respect to Nightingale Lodge, the Council informed the objector at First Deposit stage that it had considered the objection and decided not to include the property on the local list as the building lies within a conservation area which affords it some protection. I agree with the Council that it enjoys some protection for this reason and consider that the list should not be modified to include this property. However, I suggest that the Council's Architect may wish to assess the property in the same manner as the above-mentioned properties so that a more informed decision can be made about the merits of Nightingale Lodge.

Recommendation

11.49. No modification be made to the Plan in response to these objections.

Policy 198.LB: Enabling Development

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *compatibility with PPG15 (paragraph 3.3)*
- *need for policy and textual amendments to clarify the type of asset and enabling development which will be considered acceptable*
- *whether to include reference to English Heritage documents*

Inspector's Considerations and Conclusions

11.50. This policy seeks to secure the future of certain listed buildings through enabling development.

11.51. Taking the first two issues together, PPG15 states that the planning authority should 'have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.' This policy acknowledges that in some cases enabling development is necessary in order to secure the future of a listed building and the Council has stated in EBC253 that exceptional circumstances would be required for this approach to be considered favourably. There is concern however, that this policy does not seek to achieve the best or optimum viable use for the building that is compatible with its reasons for listing (i.e. its architectural and historic features and its setting). The optimum use should be assessed in the context of the conservation of the building, not against the maximisation of financial gain. The optimum use may not be the most profitable use if the latter would entail more destructive alterations than other viable uses. The supporting text should be expanded to provide further guidance. It could usefully also refer interested parties to English Heritage for additional information and policy statements.

11.52. I do not commend the inclusion of references to English Heritage's or other such documents within the Plan since they may be revised or replaced during the lifetime of the Plan.

Recommendations

11.53. The reasoned justification for Policy 198.LB be modified to include the following:

`In order to assess what the best use may be for a listed building, it is necessary to balance the economic viability of possible uses against the effect of any changes on the special architectural and historic interest of the building. The optimum use should be assessed in the context of the

conservation of the building, not against the maximisation of financial gain. The optimum use may not be the most profitable use if the latter would entail more destructive alterations than other viable uses. Additional information regarding enabling development can be obtained from English Heritage.

11.54. No other modification be made to the Plan in response to these objections.

Policy 199.LB: Historic Parks and Gardens

Objections

See Appendix A for the list of objections on this matter

Main Issue

- *need to protect appearance and features*

Inspector's Considerations and Conclusions

11.55. Policy 199.LB seeks to protect historic parks and gardens

11.56. The amendments in the Second Deposit Draft include wording which satisfies the objector's concern. No modification is required.

Recommendation

11.57. No modification be made to the Plan in response to the objection.

Policy 201.LB: Old Bursledon

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *whether the policy is insufficiently protective.*
- *whether Monterey, School Road and land south east of Ploverfield should not be within the SPA*
- *whether policy would unduly restrict development on school campuses*
- *need to refer to flood risk*
- *whether supporting text should make clear that requirements of other policies should be met*

Inspector's Considerations and Conclusions

- 11.58. Policy 201.LB seeks to protect the special loose-knit character of the Old Bursledon Special Policy Area (SPA), typified by low-density housing, woodland, open fields and salt marshes. Most of the SPA falls within the Old Bursledon Conservation Area and some of the coastal salt marshes fall within a Site of Special Scientific Interest. I note that the Council has produced CD32 pertaining to the Old Bursledon Special Policy Area which provides useful background in terms of policy justification, planning history and boundary issues. This is helpful.
- 11.59. In respect of the first point, the objector would like the policy reworded to prohibit all further replacement dwellings, extensions or changes of use within the SPA. The Council has pointed out that such a policy would be unreasonable and contrary to national policy guidance; it would also be more stringent than that allowed by conservation area designation legislation and would create confusion. The policy does not however provide any tests for assessing the appropriateness of replacement dwellings, appropriate extensions or changes of use within the SPA. Additional wording would assist with clarity and robustness and provide protection for those areas of the SPA which fall outside the conservation area and SSSI. I recommend the addition of wording to cover this matter.
- 11.60. With regard to the second issue of altering the boundaries of the SPA, the objection concerning land south east of Ploverfield is linked with a housing proposal and I deal with these under HEXC in Chapter 5. No modification should be made in this regard. I also agree with the Council that Monterey should be retained within the SPA in order to protect its setting and guide any future proposals for the site.
- 11.61. Turning to the third point in respect of school campuses, this objection overlaps with one to Policy 1.CO and as set out there, I consider that criterion (iii) of the amended policy provides appropriate scope for the extension of school facilities. The Plan should be read as a whole and no

modification is required in this case.

11.62. With regard to the flood risk issue, the same point applies. There is no need to repeat matters that are covered by other policies in the Plan. And similarly, with regard to the final issue, the Plan should be read as a whole and proposals considered against all the relevant policies. Specifically, the Plan includes policies regarding overhead cables, telecommunications equipment and trees. No modifications should be made in response to this objection.

Recommendations

11.63. Policy 201.LB be modified by the addition of the following wording to the end of the policy:-
`...provided that these respect and enhance the character of the Special Policy Area.'.

11.64. No other modification be made to the Plan in response to these objections.

Policy 203.LB: Hiltingbury

Objections

See Appendix A for the list of objections on this matter

Main Issue

- *justification for the Special Policy Area*

Inspector's Considerations and Conclusions

- 11.65. This policy relates to the Hiltingbury Special Policy Area (SPA). It sets out a number of criteria to guide development proposals in the area, including plot size, protection of trees, and the avoidance of back land or tandem development.
- 11.66. There is concern on the one hand that the policy, while not wrong in principle, has not been sufficiently justified in the context of paragraph 58 of PPG3 which advises planning authorities to make more efficient use of land. On the other, an objector has highlighted the effects of increased urbanisation of the area and its detrimental effects on nature conservation and other important interests.
- 11.67. As the Council points out, the Hiltingbury SPA was first designated in the Chandler's Ford District Plan of 1981. The SPA falls within an otherwise densely built-up area. The Council has identified certain factors which contribute towards the character of this SPA – namely the size of the plots, the relationship of the buildings to each other, the trees and the open spaces. These factors distinguish the Hiltingbury SPA from the more densely-developed surrounding urban fabric, and it is this which the Council has identified as being desirable to protect.
- 11.68. The Inspector for the EBLP Inquiry agreed with the Council that the area had a unique character and supported the boundary as proposed. Since then the Council undertook a review of the Hiltingbury SPA in 2001 and concluded that no significant amendments could be justified. It is concerned that there is continued development pressure within the Hiltingbury SPA which threatens the characteristics the Council wishes to retain in the area.
- 11.69. In my view paragraph 58 of PPG3 should not be seen as in conflict with paragraph 56, from which the Council draws support. Having respect for the existing character of an area does not automatically mean that existing densities in the immediate vicinity must be replicated in any new development proposal. The policy is generally compatible with this approach, but the reasoned justification needs to be expanded to make clear that the objective of the policy is not simply to maintain the existing low density of development in the area but to ensure that new development respects and enhances the special characteristics of the SPA.

While development at higher densities than on adjacent plots would not necessarily be incompatible with the objective, it is unlikely that any proposal that would endanger the spacious, well-wooded appearance of the area or its Arcadian character would be acceptable.

Recommendation

- 11.70. The reasoned justification for Policy 203.LB be expanded to make clear that the objective is not simply to maintain the existing low density of development in the area but to ensure that new development respects and enhances the special characteristics of the SPA; therefore, while development at higher densities than on adjacent plots would not necessarily be incompatible with the objective, it is unlikely that any proposal that would endanger the spacious, well-wooded appearance of the area or its Arcadian character would be acceptable.
- 11.71. No other modification be made to the Plan in response to the objections.

Policy 206.LB: Campbell Road, Eastleigh

Objections

See Appendix A for the list of objections on this matter

Main Issue

• need to acknowledge that some houses in Campbell Road fall within the Public Safety Zone

Inspector's Considerations and Conclusions

- 11.72. Policy 206.LB seeks to protect the special characteristics of the Campbell Road, Eastleigh and Crowsport, Hamble-le-Rice Special Policy Areas (SPAs). Campbell Road lies adjacent to Southampton Airport and some of its properties are within the defined Public Safety Zone.
- 11.73. Policy 72.BE and its explanatory text provide advice and policy guidance on the PSZ, which is defined on the Proposals Map, and in my view there is no need for a corresponding reference in Policy 206.LB. The Plan should be read as a whole and repetition should be avoided in the interests of a concise and unambiguous document.

Recommendation

- 11.74. No modification be made to the Plan in response to the objection.

LBEXC: Omissions from the Conservation and Listed Buildings Chapter

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *whether Allbrook Hill and Dodwell should have Conservation Area status*
- *need to take account of paragraphs 2.2 and 2.9 of PPG15*

Inspector's Considerations and Conclusions

11.75. Both the Allbrook Hill and Dodwell areas have been assessed by the Council and it has been concluded that neither merits conservation area designation. I find no reason to disagree, although it is worth pointing out to the objectors that the designation of Conservation Areas is a statutory process that is independent of the local plan process and can be commenced at any time, if justified by the circumstances. In any event, the Plan contains a range of policies on listed buildings, the built environment and the countryside which offer protection to important aspects of these areas and will no doubt be applied in dealing with any future development proposals.

11.76. With regard to the second issue, paragraph 11.8 as inserted in the Second Deposit Draft addresses this matter and I do not consider that any modification is required.

Recommendation

11.77. No modification be made to the Plan in response to these objections.

CHAPTER 12

COMMUNITY FACILITIES, INFRASTRUCTURE AND DEVELOPER'S CONTRIBUTIONS

Paragraph 12.1: Community Facilities

Objections

See Appendix A for the list of objections on this matter

Main Issue

- *whether the list of community facilities is too detailed and specific*

Inspector's Considerations and Conclusions

- 12.1. Paragraph 12.1 sets out the Council's definition of community facilities, using examples. These range from parish halls to footpaths, cycle ways and recycling points.
- 12.2. The paragraph states very clearly that the term 'community facilities' is intended to cover a broad range of public amenities. It is clear from the text that the list of examples used is not exhaustive. I also note that the Council has proposed the addition of health facilities in the list as a PIC, which I support in the interests of clarifying the nature of facilities covered under the term. In my view the paragraph is neither too detailed nor specific and no other modification is required.

Recommendations

- 12.3. Paragraph 12.1 of the Plan be modified in accordance with the PIC in CD7, page 19, which proposes including health facilities in the list of community facilities.
- 12.4. No other modification be made to the Plan in response to this objection.

Policy 208.IN: Community Facilities

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *whether the policy should allow relocation of community facilities outside the urban edge in exceptional circumstances*
- *need for community facilities to be accessibly located*
- *need for reference to health facilities*
- *policy exceptions for the provision of new places of worship*

Inspector's Considerations and Conclusions

- 12.5. Policy 208.IN permits the development of new, extended or replacement community facilities at locations within the urban edge, which do not adversely affect the residential amenity of neighbouring properties.
- 12.6. With regard to the first two issues, national planning policy accords priority to the re-use of previously developed land in locations that are accessible by a choice of modes of transport. If particular circumstances justified a proposal to relocate an existing facility outside the urban edge, neither this nor other policies in the Plan would prevent the grant of planning permission for such development. However it would be inappropriate to set out any exceptional circumstance in the policy. While the re-use of previously developed land to provide more housing is important, community facilities should also be in sustainable locations, within the community that they serve. Policies in the Transport Chapter also deal specifically with the accessibility of new development in terms of design and location; there is no need for an explicit reference to sustainable locations in this policy since the Plan should be read as a whole.
- 12.7. With regard to the third issue, the Council has made a PIC to paragraph 12.1 to include reference to health facilities. I refer also to my considerations in paragraph 12.2. No other modification is required.
- 12.8. On the final point, any development proposal is subject to all of the policies of the Plan, where relevant. There should be no exception for places of worship in this regard. It is for an applicant to demonstrate that a proposal complies with the policies in the Plan and if not to show that material considerations exist which outweigh the Plan's policies.

Recommendation

- 12.9. No modification be made to the Plan in response to these objections.

Policy 181.IN (First Deposit): Health Facilities

Objections

See Appendix A for the list of objections on this matter

Main Issue

- *basis for provision for education and health facilities*

Inspector's Considerations and Conclusions

12.10. Policy 181.IN has been deleted from the Second Deposit Draft. The policy required provision to be made for improved educational and health services within a reasonable distance of new residential development.

12.11. I agree with the Council that Policy 213.IN already deals with community facilities, including health care provision, sought in conjunction with new development. In the interests of clarity and consistency Policy 181.IN should not be reinstated. The deletion of the policy resolves the objections.

Recommendation

12.12. No modification be made to the Plan in response to these objections.

Policy 209.IN: Healthcare Provision

Objections

See Appendix A for the list of objections on this matter

Main Issue

- *whether the policy should be more flexible to allow non-healthcare uses on site*

Inspector's Considerations and Conclusions

12.13. The policy seeks to control development in the Special Policy Areas (SPAs) that surround Moorgreen Hospital and the Nuffield Hospital so that only development related to the provision of healthcare services is permitted, unless it is demonstrated that there is no need for such provision.

12.14. With regard to the main issue, the amended policy in the Second Deposit Draft includes additional text suggested by the objector. I consider that this is a satisfactory response to the objection.

Recommendation

12.15. No modification be made to the Plan in response to this objection.

Paragraph 12.15: Schools

Objections

See Appendix A for the list of objections on this matter

Main Issues

• *whether there should be a reference in the Plan to the need for more day-care and early education facilities*

Inspector's Considerations and Conclusions

12.16. Paragraph 12.15 acknowledges the importance of provision for schools and further/higher education facilities, refers to the Council's liaison with the County Council in determining the future education needs of the Borough's residents, and states that the Council will continue to work with the relevant institutions to ensure that their requirements are met wherever possible.

12.17. The provision of pre-school education is not the responsibility of the Borough Council. The apparent shortage of nursery and pre-school education provision in the County is primarily a matter for the local education authority to address; however the Borough Council can assist by including positive policies in the Plan relating to the provision of new community facilities in conjunction with new development and by protecting existing facilities. The Plan already contains policies that seek to achieve these aims. No modification is required.

Recommendation

12.18. No modification be made to the Plan in response to the objection.

Policy 211.IN: Dowd's Farm Special Policy Area

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *whether the policies for Dowd's Farm conflict with PPG3*
- *justification for affordable housing requirement*
- *whether the brief could be prepared by others, instead of the Council*
- *whether the policy should make clear that housing will not be permitted on site until 2006-2011 to allow for the preparation of a development brief*
- *adequacy of community facilities to support new housing*
- *impact on existing business parks*
- *justification for the proposed school and timing of its provision*
- *need to consult local residents about traffic implications of the development*
- *implications for the Moorgreen Meadows SSSI*

Inspector's Considerations and Conclusions

- 12.19. Policy 211.IN states that a new primary school is proposed at Dowd's Farm, Hedge End and that proposals on the site must meet the requirements of the development and design brief prepared and approved by the Council. The supporting text explains that the existing primary school which serves Hedge End North is operating at capacity and a new school will need to be built to accommodate new housing development in the area.
- 12.20. Dealing with all of the issues, Policy 82.H of the Second Deposit Draft proposes the development of about 500 dwellings and associated facilities, including a new primary school at Dowd's Farm. The objections to this and to the overall housing strategy are taken into account in Chapter 5 of this report and subject to my recommended modifications, I conclude that the overall Plan would accord with PPG3. At the time of writing, the proposals for Dowd's Farm are well-advanced and early delivery of this site is consistent with national policy objectives to secure enough provision for new homes at the right time. Given that Dowd's Farm is no longer a proposal in planning terms but can be regarded as a commitment, I have recommended elsewhere that the Council should re-consider whether a policy is required for this site.
- 12.21. Policy 211.IN repeats provisions in Policy 82.H and has been superceded by the adoption of a development brief for the site and the decision to grant planning permission, subject to the completion of a legal agreement. As part of this process, the justification for the new primary school has been established, and the concerns of local residents about traffic impact will be

taken into account in the transportation measures required for the overall development. There is no substantive evidence of an adverse impact on the Moorgreen Meadows SSSI but I have no doubt that the detailed development scheme for Dowd's Farm will take account of the need to protect the SSSI from any adverse effect. Taking all of these circumstances into account I consider that the Plan should be updated by deleting Policy 211.IN. The Council may however wish to retain paragraph 12.17 in Chapter 12 of the Plan for information purposes. No further comment in respect of these objections is required.

Recommendations

12.22. The Plan be modified by the deletion of Policy 211.IN.

12.23. No other modification be made to the Plan in response to these objections.

Policy 213.IN: Developer's Contributions towards the Provision of Infrastructure, Services, Community Facilities and Amenities

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *whether the framework set out in the supporting text complies with Circular 1/97*
- *whether the policy is vague and requires clarification*
- *whether the Council should not encourage developers by inviting discussions prior to the purchase of land*

Inspector's Considerations and Conclusions

- 12.24. In accordance with Policy 213.IN, appropriate proposals for development would be permitted provided that the developer has made arrangements for the provision of the infrastructure and other facilities made necessary by the development or has made arrangements to contribute towards their early improvement.
- 12.25. With regard to the first issue, Circular 1/97, paragraph 6, makes clear that planning obligations should be sought and secured in negotiation between developers and the Council. In my view the third and fourth sentences of paragraph 12.23 do not reflect the spirit of the guidance in Circular 1/97 and imply that developers may be required to remedy existing deficiencies. This section of the Plan should make clear that the Council is willing and prepared to enter into negotiations with developers and that planning obligations will not be imposed. In the interests of clarity I set out modified wording on the matter.
- 12.26. Turning to the second issue, paragraph 12.1 sets out the Council's definition of community facilities and Policy 213.IN and supporting text make clear that the nature of facilities sought by way of planning obligations is related to the extra demand generated by the development, not the scope of the Borough Council's remit. The County Council is a statutory consultee and has an opportunity to put forward and comment upon planning applications, in particular in its capacity as the local education authority and the highways authority. The detailed wording proposed by the County Council is too inflexible in requiring all residential development to contribute towards education provision, regardless of its scale. Circular 1/97 is clear that in every case planning obligations should be negotiated and should be reasonable in scale and kind, and directly related to the proposed development. The level of detail proposed by the County Council would be more appropriate in a SPD, although I would have concerns about adopting the uncompromising approach that is proposed by the County Council in its objection.

12.27. With regard to the third issue, the local planning authority provides a service for the local community and also for prospective developers. It is entirely appropriate for the Council in its capacity as local planning authority to advise prospective developers about the likelihood of additional costs associated with a development in a particular location.

Recommendations

12.28. The third and fourth sentences of paragraph 12.23 be deleted and replaced by the following: -

The Council will seek to negotiate planning obligations from developers for the provision of new or improved infrastructure, services, facilities and amenities directly made necessary by the proposed development.

12.29. No other modification be made to the Plan in response to these objections.

INEXC: Omissions from Chapter 12

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *omission of reference to the need for a new health centre at Hamble*
- *omission of a policy/allocation for sheltered accommodation for the elderly in Hamble*
- *omission of reference to the Borough's education requirements, in particular to new primary and secondary schools to serve new housing development*
- *omission of a policy/allocation for a new prison*
- *omission of a policy/allocation for a new place of worship in Hedge End and Bursledon.*
- *omission of a policy/allocation for a new cemetery*
- *omission of proposals for improved entertainment facilities in the Hedge End, West End and Botley areas*
- *omission of a policy preventing conditions on planning applications being overturned*
- *omission of a policy to secure developer's contributions for education provision from smaller sites*

Inspector's Considerations and Conclusions

12.30. With regard to the first two issues, paragraph 12.12 of the Plan refers in general terms to an aspiration to consolidate a number of medical practices into one single facility on the Hamble peninsula. Clearly, any proposal to consolidate facilities would only proceed through preliminary discussion with the Council and the submission of a planning application in due course. Paragraph 12.12 offers qualified support for a new medical centre on the Hamble Peninsula and I agree with the Council that it would not be appropriate to expand upon the current reference, given the uncertainty surrounding the proposal. Also, at the present time the Council considers that the existing sheltered housing scheme in Hamble-le-Rice and the sheltered bungalows are adequate for the needs of the community. In the absence of evidence to the contrary, I find no justification for a site specific-proposal for additional sheltered accommodation for the elderly in this Plan.

12.31. In respect of the third issue, a new primary school has been proposed at Hedge End North and is referred to elsewhere in this Chapter of the Plan. Paragraphs 12.1, 12.2 and 12.15 also deal with provision of education facilities to meet needs that will arise during the plan period. Turning to the point concerning the need for a new secondary school in conjunction with new development, I have no evidence before me which suggests that

there is a problem or that there will be a problem of a lack of places in existing secondary schools. In my view the Plan complies with the requirement in RPG9 (Policy Q6) that development planning throughout the South East region should take account of education requirements.

- 12.32. Turning to the fourth issue, as the Council states in EBC261, unless there is a specific proposal for a prison it would not be appropriate to make any reference to the needs of the Prison Service in the Plan. It appears that South Hampshire is a priority area of search for a new prison but this clearly indicates that the matter should first be addressed at regional and sub-regional level and it would not be justified to seek a site allocation within the Borough in advance of these discussions. Nor would a criteria-based policy be justified in the circumstances. No modification should be made to the Plan in response to the objection.
- 12.33. With regard to the fifth issue, the definition of community facilities is set out in paragraph 12.1 of the Plan. The provision of new places of worship will be dealt with through the existing policies as and when they arise, as referred to in paragraph 12.6 of the Plan. PPG12 advises that too many site-specific policies can lead to an inflexible plan which can become outdated quickly. Taking all of these matters into account, I do not consider that it would be appropriate to seek to allocate the specific sites referred to by the objector for a particular religious group. If the congregation wishes to pursue a detailed development proposal for one of the sites, this would be considered by the local planning authority in due course.
- 12.34. In respect of the sixth issue, EBC266 confirms that the Council has already identified sufficient land for cemetery space in Eastleigh and Chandler's Ford to 2011. Outside of Eastleigh the Parish Councils have not identified any specific need for additional burial space. I am satisfied that there is no need to allocate land through the local plan process for additional burial space at this time.
- 12.35. Turning to the seventh issue, I understand that planning permission has been granted for a cinema in Hedge End but the permission has not been implemented. It also needs to be recognised that village and town centres in the Borough cannot compete with the range of attractions and accessibility of Southampton city centre. In terms of meeting a demand for large-scale entertainment facilities such as the cinema/nightclub complex suggested by the objector, the Council has clearly looked favourably upon applications for such facilities, but it needs to consider proposals as and when they arise within the framework of PPS6 and the policies set out in Chapter 8 of this Plan.
- 12.36. In respect of the eight issue, those wishing to vary conditions imposed on an extant or implemented planning permission have the legal right to apply for planning permission to do so. Each application would have to be determined on its merits. It is not possible to include a policy in the Plan that would restrict the rights of individuals to apply for planning permission in the way suggested by the objector.

12.37. On the final point, I refer to my previous responses under Policies 181.IN and 213.IN. The Plan should be read as a whole and the context within which contributions would be sought for educational and other facilities is already clearly set out in the Plan. Also, as Circular 1/97 makes clear, planning permissions should not be bought and sold and planning obligations should be agreed between the Council and the developer after careful consideration of the needs arising out of the development. Policy 213.IN and its supporting text, as modified in accordance with my recommendation, would reflect this advice. No modification is required in response to the objection.

Recommendation

12.38. No modification be made to the Plan in response to these objections.

CHAPTER 13

IMPLEMENTATION AND MONITORING – PERFORMANCE INDICATORS AND TARGETS

Paragraphs 13.2 and 13.4: Resources

Objections

See Appendix A for the list of objections on this matter

Main Issue

- *absence of financial commitment to implement the Plan*

Inspector's Considerations and Conclusions

- 13.1. Paragraph 13.2 acknowledges that there have been significant cuts in public expenditure in recent years and that therefore to some degree implementation is dependent upon the resources and priorities pertaining at the time. Paragraph 13.4 refers to developers' contributions and sets out a commitment to prepare a background paper dealing with this issue. Although not highlighted as an amendment of the First Deposit Draft, paragraph 13.4 of the latter indicated that Appendix 1 dealt with developers' contributions. Appendix 1 has been deleted from the Second Deposit Draft.
- 13.2. With regard to the main issue, the objector perceives a lack of commitment to implement the Plan as a result of financial uncertainty and unwillingness to ensure that private developers bear the full cost of their schemes. As a result, it is contended that the Plan will fail to achieve its objectives. A number of cases are identified where the local planning authority has already failed in the objector's view, but the details of these are not before me and I cannot comment on them.
- 13.3. So far as the more general point is concerned, I consider that the statement in paragraph 13.2 is an appropriate acknowledgement that the Plan depends on a number of partners for implementation. Regarding contributions from developers, Circular 1/97 sets out the approach that local authorities should take when seeking planning obligations. The guidance is clear that acceptable development should not be refused because an applicant is unwilling or unable to offer benefits. Planning obligations sought by local authorities must be relevant to planning and must be directly related in scale and kind to the proposed development. It is not always the case that 'common justice' would dictate that the developer should bear the entire costs of providing benefits to a community. The nature and scale of the development must be taken into account. The Plan allows for developers to bear the full costs of providing necessary services and infrastructure, where this is appropriate. However, there is no scope in national guidance for enforcing the type of blanket requirement sought by the objector. I am satisfied that the references to financing the implementation of the Plan and seeking developer

contributions are consistent with national guidance referred to above.

Recommendation

13.4. No modification be made to the Plan in response to the objection.

Paragraphs 12.7 – 12.8 (First Deposit): Monitoring and Targets

Objections

See Appendix A for the list of objections on this matter

Main Issue

• *omission of targets or indicators related to the Council's housing site phasing policy*

Inspector's Considerations and Conclusions

- 13.5. Paragraphs 12.7 and 12.8 have been deleted from the Second Deposit Draft. The deleted paragraphs have been wrongly indicated in the Second Deposit Draft as paragraphs 12.8 and 12.9. In effect, paragraphs 12.7 and 12.8 of the First Deposit Draft have been replaced by paragraph 13.7 in the Second Deposit Draft. In addition Table B, entitled Monitoring of Policies, has been significantly amended in the Second Deposit to set down in more detail how different matters, including housing, will be monitored throughout the Plan period.
- 13.6. With regard to the main issue, the paragraphs have been deleted and a new Table B has been added which sets out monitoring criteria for net housing completions and other matters. The amount and proportion of net completions on brownfield sites and windfall sites is also referred to in Table B. These monitoring criteria are consistent with those set down in PPG3, paragraph 77 and in the good practice guide, Monitoring Provision of Housing through the Planning System (DETR, October 2000). Table A also contains a commitment to start dates for major housing sites. A commitment to produce an annual monitoring report is also included in the Chapter. The Council has indicated that it would be willing to include a cross-reference to Table 1, which is to be included in the modified Plan and will set out the overall housing provision for the Borough. In my view this would be helpful to the reader, even though Chapter 13 is primarily about the mechanics of implementing and monitoring the Plan, not the detailed figures themselves. I consider that the amendments in the Second Deposit Draft provide an adequate basis for the monitoring of housing provision and other matters and that a specific policy in this regard is not necessary. No other modification is required in response to the related objections.

Recommendations

- 6.1.1 The Plan be modified by the insertion of a cross-reference in Chapter 13 to the table on overall housing provision in Chapter 5 of the Plan.
- 13.7. No other modification be made to the Plan in response to these objections.

Paragraphs 13.8 & 13.9 and Tables A & B: Monitoring and Targets

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *omission of reference to biodiversity*
- *need to include environmental indicators in Table B.*

Inspector's Considerations and Conclusions

- 13.8. Paragraphs 13.8 and 13.9 contain explanatory information in support of Tables A and B. In particular paragraph 13.9 commits the Council to produce an annual monitoring report and lists matters to be included in it.
- 13.9. With regard to both issues, the Council has made a PIC to include reference in paragraphs 13.8 and 13.9 to biodiversity and nature conservation, and to include related monitoring criteria in Table B. I consider that this would resolve the objections.

Recommendation

- 13.10. Paragraphs 13.8 and 13.9 and Table B of the Plan be modified in accordance with the PIC on page 20 of CD7.

IMPEXC: Omissions from Chapter 13

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *omission of evidence to show that environmental indicators and targets have been achieved and monitored in the previous plan*
- *omission of policy setting out action that will be taken should monitoring show the implementation of other policies is failing*

Inspector's Considerations and Conclusions

- 13.11. With regard to the first issue, the Council has included a commitment to produce an annual monitoring report based upon the indicators and targets set down in Tables A and B. It also states that it has carried out monitoring in the past and this monitoring has contributed to the development of policies in the Plan and I have no reason to doubt that this is so. Proof that the Council has successfully monitored and implemented the policies and proposals in the adopted plan is not a requirement of this Plan. The increased emphasis by Government in recent years on monitoring of targets will no doubt be reflected in the Council's attention to monitoring.
- 13.12. With regard to the second issue, this chapter of the Plan is concerned with the mechanics of implementation and monitoring. It would be inappropriate and premature to set down in policy the Council's response to issues that may arise out of monitoring. Instead, the Council must be able to respond to problems in a flexible and appropriate way that reflects the particular circumstances at the time. The LDF process should allow the Council to undertake a quick review of the Plan, or parts of it, if the monitoring process demonstrates that this is required.

Recommendation

- 13.13. No modification be made to the Plan in response to these objections.

APPENDICES

Appendices I and II (First Deposit)

Appendices I and II (Second Deposit)

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *content of Appendices I and II (First Deposit)*
- *justification for inclusion of certain buildings in Appendix II (Second Deposit)*
- *justification for inclusion/exclusion of land within/from strategic gap*

Inspector's Considerations and Conclusions

- A.1. Appendices 1 and II of the First Deposit Draft, both of which concerned developer contributions, have been deleted from the Second Deposit Draft. I consider that this overcomes the related objections.
- A.2. Appendix II (as numbered in the Second Deposit) sets out the draft list of buildings of special local architectural and historic interest. In response to the objections to the First Deposit Draft, the amended Second Deposit Draft list contains the additions/deletions proposed by the objector and this resolves the matter.
- A.3. The objections to Appendix 1 (as numbered in the Second Deposit Draft) are concerned with lands within the Eastleigh-Southampton Strategic Gap at Romill Close or excluded from the strategic gap in the area south of South Street/Monks Way. These are linked to housing proposals and are taken into account in my considerations and recommendations under HEXC (West of Romill Close) and Policy 83.H respectively in Chapter 5 of the report.

Recommendation

- A.4. No modification be made to the Plan in response to these objections.

GLOSSARY OF TERMS

Glossary of Terms

Objections

See Appendix A for the list of objections on this matter

Main Issue

- *definition of `urban parks`*

Inspector's Considerations and Conclusions

- G.1. The objector is concerned that the definition of `urban parks` as set out in the Glossary of Terms in the Plan may be misleading. The Council accepts that the wording recommended by the objector is appropriate and would avoid any implication that urban parks need to be large or include formally laid-out areas. I concur with the suggested re-wording.

Recommendation

- G.2. The definition of `urban parks` in the Glossary of Terms be modified in accordance with the wording set out in EBC506.

MAPS

Maps

Objections

See Appendix A for the list of objections on this matter

Main Issues

- *need for a comprehensive, up-to-date, accurate and unambiguous Proposals Map*
- *whether Biodiversity Priority Areas should be indicated*
- *whether the key to the indicative floodplain designation should refer to the Environment Agency*
- *whether specific policy designations should be deleted or reinstated*

Inspector's Considerations and Conclusions

- A.1. A number of the objections to the Proposals Map and individually numbered Plans within the Second Deposit Draft are linked with objections to policies and are taken into account in the corresponding chapter of this report. For the sake of conciseness I do not repeat my considerations here and deal below only with any outstanding matters.
- A.2. In respect of the Proposals Map, the objection that some policies or proposals in the Plan have not been indicated on the Proposals Map is accepted by the Council and it has been indicated that these matters will be addressed in the finally adopted Plan. Also, I concur with the action that the Council intends to take in distinguishing the strategic gaps from the local gaps in the finally adopted Plan. And in respect of the River Hamble foreshore, I agree that its designation as countryside on the Proposals Map should be maintained in order to make clear that this area will remain subject to countryside protection policies. As set out under Policy 130.E in Chapter 7 of this report, the Council proposes to modify the Proposals Map to show clearly the areas that are proposed for employment development at the NBP and I commend this modification. However for the reasons set out in the Housing Chapter, it would not be appropriate to show an MDA allocation or a road link to it from the CLLR.
- A.3. The Council has accepted the need to show internationally important nature conservation sites on the Proposals Map, and has also agreed that it should be corrected to show the two allotments sites in Hamble-le-Rice. These are addressed in CD5. However, there is no policy in the Plan dealing with biodiversity priority areas and therefore no justification for indicating these on the Proposals Map. As the Council has set out, this matter is adequately documented in the SPG on biodiversity (CD29). In accordance with my considerations under Policies 43.ES and 44.ES, I do not consider that there is any need to modify the key to the Proposals Map so that the indicative floodplain boundaries are specifically attributed to the Environment Agency.
- A.4. In regard to specific objections to the individually numbered plans in CD5, the concern that the development brief proposals for the Woodside Avenue

housing site are not shown correctly on Plan 5 of CD7 will no doubt be addressed in the finally adopted Plan where the most up-to-date layout will be shown. The Council has proposed as a PIC to reinstate the SINC designation of land at the northern end of Knowle Lane, Fair Oak, and I commend this modification. In response to the objection to Plan 116 which designates land to the north of Mortimers Lane, Fair Oak as a SINC, it appears that this designation properly reflects the nature conservation interest of this area of ancient, semi-natural woodland. Therefore I do not consider that any modification should be made in response to the objection.

- A.5. Three specific proposals (Plans 42, 45 and 49 in CD5) to extend the urban edge to include land in Fair Oak and Horton Heath give rise to objections. In each case the Council considers that the extension of the urban edge into the countryside would be relatively minor and would not impact upon the Local Gap between Fair Oak and Horton Heath. I understand the Council's concern to make the best possible use of land, but I agree with the objectors that none of these amendments should be made. Each would lead to a visual and physical reduction in the openness of this area which appears to be under considerable pressure for development. And notwithstanding that two of the sites are not within the designated Local Gap between Fair Oak and Horton Heath, I consider that their incorporation within the urban edge would make it more difficult for the Council to resist incremental growth around the edges of Horton Heath and Fair Oak that would contribute to visual if not physical merging of the two settlements.
- A.6. In regard to the proposed inclusion of land at Oakbank, Bishopstoke within the urban edge, the Council has accepted in response to the objections that the Proposals Map should not be modified as shown on Map 47 of CD5 and I concur with its reasoning.

Recommendations

- A.7. The Proposals Map be modified to identify the lands to which site-specific policies and proposals in the Plan apply.
- A.8. The Proposals Map be modified as set out in the PIC (CD7) to reinstate the SINC designation of land at the northern end of Knowle Lane, Fair Oak.
- A.9. The Proposals Map be modified by the deletion of the proposals set out in Plans 42, 45, 47 and 49 of CD5 to incorporate the lands at The Kestrels, Chapel Drove, Horton Heath, to the south of Pavilion Close, Fair Oak, Oakbank, Bishopstoke, and Lechlade, Horton Heath within the urban edge.
- A.10. No other modification be made to the Plan in response to these objections.