

CHAPTER 1: INTRODUCTION

1.1. General

OBJECTIONS TO DEPOSIT PLAN

Proposal/ Paragraph	Rep Number	NAME
PROPOS	224/1	Church Commissioners
NEW	243/2	Humphrey Farms Ltd
WDLPR	261/1	Government Office for the South East
CHAPT1	261/2	Government Office for the South East
CHAPT1	261/3	Government Office for the South East
OMISS	261/97	Government Office for the South East
CHAPT1	1436/1	H M Prison Service

ISSUES

1. Should the term 'Policy' be used instead of 'Proposal'? (224/1)
2. Should a separate policy be provided to allow for the development of brownfield sites in the countryside? 243/2
3. Should the name of the authority and type of plan, status of the document and date of production be placed on every page of the Plan? (261/1)
4. Should the introduction make it more clear that that a full range of social considerations have been assessed? (261/2)
5. Is the duration of the Plan too short? (261/3)
6. Should the Plan refer to provisions for aerodrome safety? (261/97)
7. Should there be an allocation for a new prison? (1436/1)

INSPECTOR'S CONSIDERATION AND CONCLUSIONS

- 1.1.1 The Council have used the term Proposals throughout the Local Plan as they indicate that the Town and country Planning (Development Plan) (England) Regulations and PPG12 Annex A para 23 refer to a Proposals Map and they considered it might be less confusing to refer just to proposals rather than to policies. Nevertheless they concede that the two words are effectively interchangeable and point to Section 36 (ii) of the Town and Country Planning Act 1990, which makes clear that for the purposes of a Local Plan, the term *policies* includes *proposals*.
- 1.1.2 Whilst the Council now concede that the term Policy is the terminology that is mostly frequently used in Development Plans, they indicate that they did not amend the Revised Deposit version as they felt that would have involved a great many changes that could have been more confusing. Nevertheless, they now accept that the use of the term *Policy* in place of *Proposal* would bring the Plan into line with Regional Planning Guidance (RPG9) and the Hampshire County Structure Plan (Review) and invite me to recommend accordingly. I am content to do so in the interest of clarity and consistency.
- 1.1.3 In issue two, the objector contends there should be a policy to allow for the redevelopment of brownfield sites outside settlement boundaries for residential, employment, tourism or community uses. Whilst the objector argues that PPG3 gives support for this, in respect of housing, the Council point out that the definition of previously developed land contained in Annex C of that document specifically excludes land and buildings currently in use for agricultural and forestry purposes. Moreover, the Council indicate that they do provide for the re-use of redundant buildings in the countryside for employment generating uses under Policy C16. Furthermore, the location of new housing has been critically examined during this Inquiry to ensure it is located in the most sustainable locations. I am satisfied that this approach conforms with national planning guidance and therefore I consider no specific modification is necessary in this regard.
- 1.1.4 In the third issue, GOSE refer to the advice in PPG12 regarding the clear identification of the version and date of the Plan on every page. In particular, they consider it is unclear whether it is

the First Deposit and the date refers only to the year. The Council felt there was little scope for confusion as the Deposit Plan states Deposit Plan 2001, while its successor document states Revised Deposit 2003. They considered it was unnecessary to include the full date unless there was likely to be two versions of the Local Plan in the same year, but they nevertheless accept that the addition of the full date to every page would “increase the ease with which the document can be used”. Accordingly, they invite me to recommend the addition of the full date to the Modified version of the Plan, which I am content to do for the avoidance of doubt.

- 1.1.5 Turning to issue four, GOSE comment that the Introductory Chapter does not make clear that a full range of social considerations have been assessed, in accordance with advice in PPG12 paras 4.13 – 4.15 eg the need for schools and community facilities etc. The Council consider Chapter 2 of the Plan (Strategy) adequately describes the account that has been taken of these factors and indicates that the Local Plan is one of the means by which the Council seeks to ensure the overall aims of the community are supported. In particular, mention is made of the Community Strategy, together with other initiatives, while the Local Plan addresses land use implications of meeting the needs of the community. I am satisfied that this adequately sets out in general terms that social considerations are taken into account, while the specific land use chapters address the detailed requirements and provisions made for elements such as housing, employment, recreation and transport. Furthermore, specific additional requirements in the way of community services and facilities are identified in the New Communities Chapter, which addresses education and health etc provision. Having regard to the underlying strategy of the Plan which is based on sustainable development principles, I am satisfied that the Council has generally guided development to the main built-up areas where existing facilities can be utilised and enhanced where necessary, or alternatively they have incorporated a comprehensive range of community facilities in the masterplans for New Communities commensurate with identified need.
- 1.1.6 In issue five, GOSE refer to the advice in PPG12 that Plans should have a duration period of 10 years from the Plan’s forecast adoption date. The Council indicate that PPG12 (paras 6.7 and 6.8) states that policies and proposals in Plans should extend for a reasonable period beyond their adoption date and should cover the same period as structure plans. The Hampshire County Structure Plan (Review) covers the period to 2011 and the County Council have issued a certificate of general conformity therewith in respect of this Local Plan. The Council consider they have no basis upon which to project housing and other land use provisions beyond that date and maintain that the County Council would be unable to certificate the Local Plan if its duration extended beyond the lifespan of the Structure Plan.
- 1.1.7 If the Council were to acquiesce to GOSE’s suggestion that the Plan should run to 2016, they consider the entire document would be placed in the melting pot and that it would involve the formulation of an entirely new set of land use proposals, which would need to be subjected to public consultation. This would place in jeopardy the prospect of adopting the Plan before 21 July 2006, after which the entire Plan would be required to be the subject of a Strategic Environmental Appraisal (SEA). Moreover, as the Transitional Provisions in the Planning and Compulsory Purchase Act 2004 provide for the policies in existing Plans to be “saved” for 3 years, the Council have indicated their intention to embark upon a review of the Plan at an early date with a view to preparing a Local Development Document under the Planning and Compulsory Purchase Act 2004, specifically addressing longer term housing requirements and complementary land use implications. In these circumstances, I can see no merit or advantage in GOSE’s suggestion of extending the lifespan of the Plan to 2016, nor do I consider it would be good planning practice to make provision solely for a further 5 years of housing provision without regard to other land uses.
- 1.1.8 The Council have addressed issue six by the introduction of an additional policy and text (RDO3.13-RDO3.18) in Chapter 3 of the Revised Deposit Plan concerning Southampton Airport Safeguarding Zones. In addition, the Proposals Map (RD46a) has been altered to depict the 13km Aerodrome Safeguarding Map for Southampton Airport. However, the Council advise that an additional 10km radius consultation area needs to be shown for wind turbine developments. I recommend accordingly. (See also 3.11 below)
- 1.1.9 With regard to the final issue, HM Prison Service indicated that Hampshire has been identified as a priority area of search for additional prison places to serve London and the South, with Winchester considered to be well located for this purpose. However, it is apparent that the area of search

extends to localities beyond the District and having regard to its strategic nature, it necessitates discussions with the Strategic Authorities in the County. Apart from a general statement of a preference for a brownfield rather than a greenfield site extending to about 16ha that is reasonably level, regularly shaped and not overlooked, there has been no specific site identified by the objector within the District. Circular 3/98 indicates that specific allocations for prison development in a Local Plan are appropriate when it is clear that the development will take place within the Plan's lifetime. I agree with the Council that this test has not been met. Hence, despite the specific mention in para 4.14 of PPG12 for Plans to make provision *inter alia* for prisons I conclude it is inappropriate to include reference thereto without that certainty.

RECOMMENDATIONS

1.1.10 That the Plan be modified by:

- a) re-naming all the Proposals in the Plan as Policies.
- b) addition of the full date to every page of the Modified Plan.
- c) the addition of a 10km radius consultation area for wind turbine developments on the Proposals Map.

1.2. About This Plan (paragraphs 1.1 - 1.6)

OBJECTIONS TO DEPOSIT PLAN

Proposal/ Paragraph	Rep Number	NAME
1.1	888/5	I.W.L Jones
1.1	887/3	Pam Jones
1.3	261/4	Government Office for the South East
1.3	1214/1	J. G Hurcom

OBJECTIONS TO REVISED DEPOSIT PLAN

Proposal/ Paragraph	Rep Number	NAME
RD01.01	888/1	I.W.L Jones
RD01.01	887/1	Pam Jones

ISSUES

1. Should planning decisions be based on PPG3 and WDLPR proposals before they are formally adopted? (1214/1, 887/3, 888/5, 887/1 REVDEP, 888/1 REVDEP)
2. Should Paragraph 1.3 include reference to a further round of proposed modifications and Figure 1 include reference to the possibility of a further public inquiry following the proposed modification stage? (261/4)

INSPECTOR'S CONSIDERATION AND CONCLUSIONS

- 1.2.1 In the first issue PPG3 represents Government guidance, which is not dependent upon being adopted by the Council and must be regarded as a material consideration in the determination of planning applications. With regard to the policies in the emerging Local Plan Review, PPG1 advises that although planning applications should continue to be considered in the light of current policies in the adopted Plan, account can also be taken of policies in emerging development plans that are going through the statutory procedures towards adoption. The weight that is to be attached to the policies contained therein increases as the various stages progress, with due regard to the numbers of representations that have been made in respect of any particular policy.
- 1.2.2 Whilst the objectors question the democratic basis for such an approach, I can reassure them that elected Council members are involved in decisions regarding the evolution of the Local Plan and in the determination of planning applications and that the approach adopted by the Council in this regard is the same as that of other Councils throughout the length and breadth of the country. I therefore consider no modification is appropriate to the Plan in respect of these objections.

1.2.3 The Council included alterations in the Revised Deposit Plan (RD01.02 and RD01.04) to address the points made by GOSE in issue two and no further modifications are required.

RECOMMENDATION

1.2.4 That no modification be made to the Plan.

1.3. Public Comments (paragraphs 1.10 - 1.15)

OBJECTIONS TO DEPOSIT PLAN

Proposal/ Paragraph	Rep Number	NAME
1.10	1434/4	Hampshire County Council

ISSUE

Was the Estates Practice of HCC consulted properly as part of the Local Plan Review's "Pre Deposit Consultation"? (1434/4)

INSPECTOR'S CONSIDERATION AND CONCLUSIONS

1.3.1 Although the objector considers they have not been properly consulted, the Council indicates that County Council officers were represented on the Local Plan Officer Group, which discussed the evolution of the Plan prior to the publication of the First Deposit. In addition, County Councillors were invited to sit on the Local Plan Members' Panel. Accordingly, the Council considers the County Council was fully represented and involved in the evolution of the Plan during its pre-deposit stages. I concur with that view and agree with the Council that it should not be necessary to invite every County Council Department to participate if they were represented in this manner.

RECOMMENDATION

1.3.2 That no modification be made to the Plan.