



The Planning
Inspectorate

Report to Borough of Poole Council

by Sue Turner RIBA MRTPI

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

Date: 30th January 2012

PLANNING AND COMPULSORY PURCHASE ACT 2004

SECTION 20

**REPORT ON THE EXAMINATION INTO POOLE SITE SPECIFIC
ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES**

DEVELOPMENT PLAN DOCUMENT

Document submitted for examination on 2 August 2011

Examination hearings held on 15 and 16 November 2011

File Ref: Q1255/429/8

Abbreviations Used in this Report

AA	Appropriate Assessment
AMR	Annual Monitoring Report
CS	Core Strategy
DM	Development Management
DPD	Development Plan Document
LDS	Local Development Scheme
LP	Local Plan
LTP	Local Transport Plan
MM	Main Modification
PPS	Planning Policy Statement
RES	Regional Economic Strategy
RS	Regional Strategy
SA	Sustainability Appraisal
SAC	Special Area of Conservation
SCI	Statement of Community Involvement
SCS	Sustainable Community Strategy
SHLAA	Strategic Housing Land Availability Assessment
SPA	Special Protection Area
SPD	Supplementary Planning Document
SPG	Supplementary Planning Guidance
SSA	Site Specific Allocation
SSADMPPD	Site Specific Allocations and Development Management Policies DPD

Non-Technical Summary

This report concludes that the Site Specific Allocations and Development Management Policies Development Plan Document provides an appropriate basis for the planning of the Borough over the next 15 years subject to the Council's proposed review of the Core Strategy in 2016 and providing a number of modifications are made to the Plan. The Council has specifically requested that I recommend any modifications necessary to enable them to adopt the Plan.

The modifications can be summarised as follows:

- Removal of the criterion that lack of viability will not in itself justify departure from providing affordable housing in the Regeneration Area, in order to ensure that development is not held back;
- Clarification to ensure that design requirements for the Regeneration Area are clear and co-ordinated;
- Removal of a prescriptive density range at Crown Closures in order to ensure that development is not restricted unnecessarily;
- Modifications to wording to ensure accuracy and consistency with national guidance in references to environmental designations;
- Modifications to ensure that Policy DM3: Shopping is consistent with PPS4 and with the Core Strategy;
- Modifications to ensure that references to the Local Transport Plan are up to date;
- A modification to clarify the range of retail uses appropriate in development at the Goods Yard; and
- Modifications to ensure that Policy DM6: Accommodation for an Ageing Population is clear and allows sufficient flexibility to allow for individual site circumstances.

Introduction

1. This report contains my assessment of the Site Specific Allocations and Development Management Policies Development Plan Document (SSADMPDPD) in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers whether the DPD is sound and whether it is compliant with the legal requirements. Planning Policy Statement (PPS) 12 (paragraphs 4.51 to 4.52) makes clear that to be sound, a DPD should be justified, effective and consistent with national policy.
2. The starting point for the examination is the assumption that the local authority has submitted what it considers to be a sound plan. The basis for my examination is the submitted draft DPD (July 2011). During the examination, new section 112 of the Localism Act came into force on 15 January 2012. By virtue of section 112(6), the new provisions apply to this examination, notably the substituted section 20(7) of the 2004 Act.
3. This report deals with the main modifications that are needed to make the DPD sound and legally compliant and they are identified in bold in the report (**MM**). In accordance with section 20(7C) of the 2004 Act the Council requested that I should make any modifications needed to rectify matters that make the Plan unsound/not legally compliant and thus incapable of being adopted. These main modifications are set out in the Appendix.
4. The main modifications all relate to matters that were discussed at the Examination hearings. Following these discussions the Council prepared a "Schedule of Changes Proposed During the Examination" (Schedule 1 - Core Document 30) (CD30). This document has been available on the Council's website since November 2011. All except one of the main modifications in this report are based on that schedule. The remaining main modification, which deals with the provision of affordable housing in the regeneration area, replaces the one set out in CD30.
5. None of the main modifications materially alter the substance of the plan and its policies, or undermine the sustainability appraisal and participatory processes undertaken. In these circumstances I am satisfied that the interests of no party would be prejudiced by any of the modifications proposed in this report.

Assessment of Soundness

Preamble

6. I have had regard to the draft National Planning Policy Framework document, issued for consultation on 25 July 2011. In doing so I have taken account of the fact that this document is still in draft form and subject to change.

Main Issues

7. Taking account of all the representations, written evidence and the discussions that took place at the examination hearings I have identified three main issues upon which the soundness of the plan depends.

Issue 1 – Is the Plan consistent with national policy and in conformity with the CS and does it include appropriate arrangements to ensure proper monitoring?

Overview

8. The Plan identifies locations for development that will help support the key strategic needs of the CS and the site allocations (SSAs) are shown on the proposals map that accompanies the Plan. It also provides nine development management (DM) policies to guide and shape development. These replace a large number of development control policies that were saved from the Poole Local Plan First Alteration 2004 (Local Plan).
9. The Plan is arranged in eight key themes which focus either on meeting Poole's development needs, for example through realising economic potential and meeting housing needs, or on guiding and managing change in specific areas, such as revitalising the town centre and managing priority areas that are in need of investment. Thus SSAs and DM Policies are presented in a practical and integrated format and the DPD maintains a spatial approach.
10. It is clear that the Plan flows from the CS. It covers the CS Plan period to 2026, subject to the Council's planned CS review in 2016, and seeks to contribute towards delivering Poole's key spatial planning requirements. The SSAs have all been identified in the CS or have been carried forward from the LP after a review of saved policies, whilst the DM Policies focus on supporting the outcomes of the CS eight strategic objectives.

Flood Risk

11. The Council and the Environment Agency have prepared a Statement of Common Ground (SCG) which recognises that there are 7 allocated sites plus 4 sites in the regeneration area which identify the need to address flood risk assessment in accordance with PPS25 and Policy PCS34 of the Core Strategy. The SCG acknowledges that a PPS25 sequential test has been carried out for two of these sites which require greater scrutiny. However outstanding concerns remain regarding clarity and consistency with PPS25 and the CS. In order to address these concerns, reference should be made to CS Policy PCS34 in the text preceding DM4: Coastal Zone and in the list of CS Policies relevant to the allocation at Park Lake Road (SSA15). Subject to these main modifications, **MM21** and **MM33**, the Plan's approach to flood risk is coordinated with the CS and consistent with national guidance in PPS25.

Environmental designations

12. Poole Harbour and the Dorset Heathlands are the subject of 11 European habitat designations. Some references to these sites in policies DM4 and DM5 are inadequate or incorrect. Modifications **MM22 – MM25** are therefore required to ensure accurate reference to all environmental designations.
13. In addition Natural England has drawn attention to the duty, under section 40 of the Natural Environment and Rural Communities Act 2006, to have regard

to the conservation of biodiversity in England. Modification **MM40** should be made to add a reference to this duty to the text preceding Policy DM9: Green Infrastructure and Biodiversity. This will ensure that the Plan addresses the full range of habitats and species which are of principal importance for the conservation of biodiversity in England. These main modifications, **MM22 – MM25** and **MM40**, are required to ensure that the Plan is in conformity with national guidance in relation to environmental designations.

Transportation

14. In April 2011 the Dorset Local Transport Plan, LTP3, was adopted. Three modifications are required to bring the Plan up to date to reflect this and to ensure consistency with LTP3. The Plan should accurately reflect the time period of 15 years for the implementation of plans in LTP3 and should recognise that LTP3 has been adopted. Policy DM7, which seeks to ensure that development is not detrimental to the implementation of schemes for Poole identified in LTP3, should include an accurate list of all the relevant highway junction and improvement schemes. These modifications, **MM37 – MM38**, should be made to ensure that the Plan is effective.

Consistency between SSAs and the Core Strategy

15. SSA4 allocates the Crown Closures Ltd site in Lake Road in line with Policy PCS4 of the CS. Whilst it broadly reflects the priorities set out in the CS it does not clearly carry forward the sequential approach that is set out in PCS4. To remedy this, the Plan should include cross reference to the sequential tests in PCS4 as set out in **MM26**.
16. The Regeneration Area Sites are illustrated on a map on page 41 of the Plan. However the map is inaccurate as it omits the Transformer Station which is part of the Regeneration Area. The map should be amended as set out in **MM28** to ensure that the Plan presents an accurate representation of the Regeneration Area as identified in the CS.

Monitoring and Implementation

17. The Plan sets out a clear framework for implementation and monitoring of the SSAs and the DM Policies. Each SSA or policy is linked to relevant CS Strategic Objectives and the framework summarises the key outcomes sought, how and by whom they will be delivered, indicators of achievement and targets or monitoring objectives. There is comprehensive cross referencing to other documents and timescales or percentage targets as appropriate.

Issue 2 – Is the proposed quantity and distribution of development consistent with the Core Strategy?

Housing

18. The CS provides for the delivery of 10,000 dwellings by 2026. However the Plan does not set out to deliver this allocation in full. Instead it identifies those sites which can deliver or begin phased delivery in the first half of the

Plan period. In May 2011 an interim Strategic Housing Land Availability Assessment (SHLAA) was prepared to update the CS housing trajectory which dates from 2006.

19. Since the start of the CS Plan period in 2006 2,648 new dwellings have been constructed and 884 are under construction or have been granted planning permission. The updated SHLAA shows that the "front loading" anticipated in the early part of the CS trajectory has not occurred, due to the economic downturn and to delays in construction of the Twin Sails Bridge and associated infrastructure, which will unlock the regeneration area sites. Consequently the significant contribution to housing delivery that the regeneration area will make is now expected to come forward from 2013/14.
20. Further sites have been identified by the Council and through the SHLAA process but they do not have sufficient certainty to be included in the Plan. However the Council intends to undertake an early review of the Core Strategy with the aim of adoption in 2016. Consequently delivery of housing development beyond 2016 will be updated and addressed in the CS review. The timing of this proposed CS review will allow the additional SHLAA sites to be examined in greater detail and to inform the housing trajectory beyond 2016.
21. CS Policy PCS5 sets out broad locations for residential development with the majority of housing to be located in the town centre and at major local centres and transport hubs. Allocation of sites in the Plan clearly flows from this strategy, with the majority of dwellings to be provided in the regeneration area or other parts of the town centre. The exception to this is the last phase of residential development at Talbot Village, an allocation which has been carried forward from saved Policy H3 of the Local Plan and which aligns with the locational criteria in CS Policy PCS5.
22. This allocation, SSA20: Land South of Wallisdown Road, has been taken forward as a planning application which is now the subject of a call in Public Inquiry. The Inquiry ended in November 2011 but the Secretary of State's decision on this application will not be available until after this report is submitted. The principle of development on this site is not in dispute but a number of matters remain contentious. The most significant for the residential element of the allocation is its effect on Talbot Heath, as this is part of the Dorset Heathlands SPA and Ramsar site and the Dorset Heaths SAC which is subject to the application of adopted policy in the "Dorset Heathlands Interim Planning Framework."
23. In the event that the current planning permission is refused the second part of SSA20 makes provision for review of the type and quantity of development on the site and sets out examples of alternative uses that may be considered. This part of the policy is not prescriptive but allows for a full reconsideration of the allocation which would clearly need to take account of all the environmental designations. However if the site is found not to be suitable for the 378 housing units proposed in SSA20 this will clearly affect the contribution that the SSADMPDPD makes to delivering the CS housing

allocation. This will place more pressure on the CS review to address housing supply in second half of the current housing trajectory.

24. Some SSAs are for mixed use development on former employment sites. Development on these sites will be in accordance with CS Policy PCS4, which sets out a sequential approach for the development of isolated employment sites. On these sites residential development will be considered after health or care related uses and other employment generating uses.
25. The sites allocated for residential development in the Plan are all cross referenced to PCS4 or PCS5 and are closely aligned with the CS objectives of revitalising the Town Centre and capitalising on Poole's Growth Point status.

Employment

26. Allocations in the Plan carry forward the key locations specified for employment in Policy PCS1 of the CS and are consistent with the criteria set out in CS Policies PCS2: Existing Employment Areas and PCS4: Isolated Employment sites. The 2010 Annual Monitoring Report (AMR) (CD5) indicates that completions on allocated employment land are broadly tracking the rate of growth projected in the CS. Furthermore the Council has confirmed that joint work is being undertaken by all Dorset Local Authorities to revise the forecast of employment land needs up to 2031. Early indications from this work are that the requirement for employment land across the county will be reduced from the 2009 forecasts which informed the CS. This information will clearly need to be fed into the Core Strategy review.
27. CS Policy PCS30: Poole's Green Belt, states that land at North Poole will continue to be treated as safeguarded land until such time as it is determined that it would not be needed to help meet the employment land requirement of the Regional Strategy (RS). This part of the Policy was added, as recommended in the Core Strategy Examination Inspector's Report, to address concerns about the supply of employment land.
28. It is argued that the Plan should include a policy to link to PCS30 and to provide a trigger for the release of the land at North Poole for employment. However taking account of the delivery of employment development as evidenced in the AMR, work by the Dorset Local Authorities and having in mind the current economic downturn, there is no indication that there will be a shortage of land for employment development before the proposed review of the CS in 2016.
29. It has been suggested that the way in which the CS safeguards land at North Poole through PCS30, a policy dealing with the Green Belt, is inappropriate and confusing. Furthermore hatching on the Proposals Map, which refers to PCS30, could lead to the mistaken impression that the North Poole land is in the Green Belt. However PCS30 deals with the retention of the Local Plan Green Belt boundary and on detailed examination it is clear that the land in question is not within the Green Belt. This area of land is securely safeguarded through PCS30 and the supporting text in paragraph 6.166 of the CS explains its status as a contingency, should the need for further

employment land be identified. This in itself provides a trigger and there is thus no need for further detail or emphasis to be included in the Plan.

30. The updating of employment land needs, being carried out jointly by the Dorset Local Authorities, indicates that the Council is addressing the need to support economic growth and to work co-operatively with adjoining authorities. In these circumstances it is clear that the Plan is consistent with the CS and with national planning policy.

Issue 3 - would the individual site allocations unrealistically restrict development of any allocated site or hinder flexible delivery of development?

SSA3: Fleets Corner/ Sopers Lane

31. Sites at Fleets Corner and Sopers Lane are identified as being suitable for comprehensive rationalisation/ redevelopment and it is notable that they are capable of delivering a scale of employment use that cannot be delivered elsewhere in the borough. SSA3, in addition to setting out a range of criteria for proposals on these sites, requires development to be delivered in accordance with relevant CS employment policies. In particular CS Policy PCS1 states that the sites should deliver employment in relation to the priority sectors identified in the Regional Economic Strategy (RES) for South West England 2006 – 2015 and other employment generating sectors. Footnote 1 to PCS1 lists the Regional Development Agency priority sectors whilst footnote 2 defines other employment generating sectors as those suited to existing employment areas in accordance with PCS2.
32. It is argued that the Plan does not take the opportunity to clarify and expand on the range of uses set out in Policy PCS1. It is suggested that SSA3 should refer to the full range of sectors in the RES and that to ensure soundness reference should be made to the Learning and Skills Council priority sectors and the Plan should confirm that developments within these sectors will be supported.
33. However SSA3 needs to be read in conjunction with CS Policies PCS1 and PCS2 in order to fully comprehend the types of use considered appropriate for Fleets Corner and Sopers Lane. When read together the CS policies and SSA3 provide a complete picture of the Council's aspirations. These are significant sites where the emphasis is on maximising employment to meet job growth forecasts. However the CS does not preclude opportunities for other employment generating sectors such as health and education. In these circumstances it is evident that allocation SSA3 is consistent with the CS and maintains an appropriately flexible approach to prioritising and guiding development on the two sites.

SSA4: Crown Closures Ltd – Lake Road

34. The sequence of uses in SSA4 includes a density range for residential development. However this introduces an unnecessary constraint which could delay or prevent development on the site from coming forward. A

modification is required to replace the density range with a requirement for residential development to be to a scale and form appropriate to the location. This modification, **MM27**, will ensure that the Plan is effective.

SSA7: The Regeneration Area: Urban Design

35. The Regeneration Area is a key area for development adjacent to the town centre. It is identified in Core Strategy PCS11 which sets out requirements and uses based on a masterplan, whilst SSA7 provides detailed urban design criteria for the whole of the area. These criteria are set out in a context of a number of exercises and documents which seek to ensure that the area delivers the vision and strategy in the CS. They include masterplanning work, the Poole Bridge Regeneration Initiative Supplementary Planning Guidance which is under review and the forthcoming area based SPD.
36. It is evident that design guidance for the regeneration area is continuing to evolve and as a result there appears to be a plethora of design guidance which risks giving the message that there are over restrictive demands on developers taking forward the regeneration area sites. In order to avoid this it is important for the documents to present a co ordinated approach to providing design guidance for the regeneration area. Amended and additional wording is therefore needed to clarify the hierarchy of documents. Main modifications **MM29** and **MM30** should be made to ensure that the Plan is effective.

SSA8: The Regeneration Area: Infrastructure

37. SSA8 sets out the infrastructure which the regeneration sites will need to deliver and it states that affordable housing should be delivered in accordance with CS Policy PCS6. SSA8 (iii) adds that, given the priority to deliver affordable housing and the role of the regeneration area in supporting this aim, lack of viability will not be sufficient in itself to justify departure from providing affordable housing.
38. This part of criterion (iii) takes a firm line which, whilst consistent with the CS Strategic Objective of meeting Poole's housing needs, carries the risk that applications for development in the Regeneration Area sites could be refused. This would be counter productive as it would stall the delivery of regeneration.
39. I have considered the Council's suggestion, made after the Examination Hearings, that a new paragraph should be added to precede SSA8. It is suggested that this would describe the procedure for validation of scheme viability where affordable housing cannot be delivered and refer to other methods, such as overage clauses written into legal agreements to provide for staged re assessments, to maximise the opportunity for affordable housing to be provided if and when scheme viability improves.
40. However this paragraph would present a confused message. SSA8 indicates that lack of viability in itself will not justify non provision of affordable housing but the supporting text would give details of how viability would be assessed and provide for staged provision. In addition it would lead to unnecessary

duplication of information in the Council's Affordable Housing SPD. The suggested additional paragraph would not, therefore, overcome the risk that SSA8 could delay development in the Regeneration Area.

41. To ensure that delivery of housing in the Regeneration Area is not held back by an inflexible requirement to provide affordable housing, the second sentence of SSA8 (iii) should be omitted. This will not remove the obligation for development to deliver affordable housing in accordance with CS Policy PCS6. However it will ensure that the Regeneration Area sites benefit from the same degree of flexibility as other sites in Poole. This modification, **MM31**, should be made to ensure that the Plan is effective.

SSA9: The Regeneration Area – Land between Poole Bridge and Twin Sails Bridge; and SSA10: The Regeneration Area – Land on the Hamworthy side of Back Water Channel

42. The part of the Regeneration Area that lies between the two bridges on the east side of Back Water Channel has a close relationship with the historic old town and Poole Quay. In recognition of the sensitivity of this interface and to ensure that new development in this area responds appropriately to the historic environment, SSA9 sets out site specific design guidance for the land between the bridges. In the context of the forthcoming Supplementary Planning Document (which will replace the current SPG) and urban design criteria in SSA7 it is questioned whether the additional requirements in SSA9 are necessary. Furthermore it is argued that the height restrictions and the requirement for "plots within blocks" to reflect existing urban grain are over prescriptive and could undermine viability.
43. It is clear that design aspirations must be considered in the context of the need to support growth, as set out in the Government's Plan for Growth (March 2011) and the important part that this site has to play in town centre regeneration. However the Council has explained that the criteria in SSA9 have grown out of masterplanning exercises which took account of viability. The criteria reflect strong local concerns about building heights and density in this sensitive area, together with Natural England's particular focus on the effect of tall buildings on bird flights. Furthermore they reflect recognised good practice in urban design, with flexibility for heights to exceed 6 storeys in justified gateway locations.
44. In these circumstances SSA9 successfully balances the protection of the adjacent historic old town centre with encouraging and facilitating development in the Regeneration Area. The requirements are justified by detailed studies which take account of viability and they do not unrealistically restrict development.
45. SSA10 includes a similar but less onerous constraint on building heights in developing the land on the west side of Back Water Channel. This area does not have a close visual relationship with the historic old town or the docks, but development here will be seen in the context of the other side of the channel. SSA10 sets out an appropriate criterion for building heights which allows flexibility to justify taller buildings as part of the overall design.

SSA12: The Goods Yard

46. The Goods Yard site is carried forward from the Local Plan and SSA12 provides up to date guidelines on the type and quantum of development required in a mixed use town centre scheme. It restricts any retail development to ancillary, so as not to undermine the objectives of CS Policy PCS12 which seeks to secure improved retail facilities to the east of the Dolphin Shopping Centre. This reflects the site's edge of centre location, outside the Primary Shopping Centre.
47. It is argued that the reference to "ancillary" retail uses should be removed and that the site should be included in the Town Centre Boundary (or Primary Shopping Area) to reflect this. This would clearly allow a strengthened retail frontage development which would link to the Dolphin Centre and the rest of the retail area and allow more flexibility in retail provision. However the development of the Plan has included a review of the Town Centre Boundary, taking account of guidance in PPS4. Inclusion of the Goods Yard was not considered as, although close to the Town Centre, it is visually distinct and is physically separated by the Towngate Bridge. In addition this is a key brownfield site which is capable of delivering employment generating uses as part of a mixed use development. Greater concentration of retail uses would undermine this objective.
48. Consequently there is no justification to include The Goods Yard in the Town Centre Boundary or to remove the reference "ancillary" retail use in SSA12. However for clarity and to ensure that the Plan is effective, the wider range of retail use classes considered appropriate on this site should be stated in the allocation, as set out in modification **MM32**.

Issue 3 - Are the requirements imposed by development management policies clear and do they allow appropriate flexibility?

DM3: Shopping

49. Policy DM3 supports the CS shopping hierarchy by setting out a range of criteria for each type of centre. The policy and the text that precedes it are broadly in conformity with the CS and PPS4. However the examination has revealed a number of instances where the Plan is overly prescriptive, where wording does not precisely conform to that in PPS4 or where it is repetitive or unclear. In order to address these matters, which were discussed in detail at the examination, a number of modifications are necessary.
50. Taken together these modifications, **MM1- MM20**, will allow appropriate flexibility for a range of retail uses and ensure that DM3 is consistent with PPS4 and the CS. Whilst they do not need to be considered individually, they must be made to ensure consistency with national guidance.

DM6: Accommodation for an Ageing Population

51. DM6 expands on Core Strategy Policies PCS7: Care Homes and PCS8: Lifetime Homes. It refers to the wide range of accommodation that caters for the

ageing population and includes criteria for the location and design of this type of development. However part (i) refers specifically to care/nursing homes, extra care and sheltered schemes and continuing care retirement communities. This suggests that the policy refers only to these types of accommodation, which is not the case. To clarify that the policy is clear in referring to all types of accommodation for the ageing population, modifications **MM34** and **MM35** should be made.

52. The criteria in part (i) of DM6 require proposals to reflect a number of design principles, including the avoidance of internal corridors and single aspect flats. This is too prescriptive as it does not allow sufficient scope for designs to address site constraints and viability issues. To overcome this and to ensure that the Plan is effective, modification **MM3** should be made.

Legal Requirements

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

LEGAL REQUIREMENTS	
Local Development Scheme (LDS)	The DPD is identified within the approved LDS dated November 2011 which sets out an expected adoption date of April 2012. The DPD's content and timing are compliant with the LDS.
Statement of Community Involvement (SCI) and relevant regulations	The SCI was adopted in 2006 and consultation has been compliant with the requirements therein.
Sustainability Appraisal (SA)	SA has been carried out and is adequate.
Appropriate Assessment (AA)	The Sustainability Appraisal Report (July 2011) includes a Stage 1 screening assessment in accordance with the Habitats Regulations. This sets out why AA is not necessary.
National Policy	The DPD complies with national policy except where indicated and modifications are recommended.
Sustainable Community Strategy (SCS)	Satisfactory regard has been paid to the SCS.
2004 Act and Regulations (as amended)	The DPD complies with the Act and the Regulations.

Overall Conclusion and Recommendation

54. **The Plan has a number of deficiencies in relation to soundness for the reasons set out above which mean that I recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the Act. These deficiencies have been explored in the main issues set out above.**

55. **The Council has requested that I recommend main modifications to make the Plan sound and legally compliant and capable of adoption. I conclude that with the recommended main modifications set out in the Appendix the Site Specific Allocations and Development Management Policies DPD satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in PPS12.**

Sue Turner

Inspector

This report is accompanied by a separate Appendix which lists the Main Modifications.

**POOLE SITE SPECIFIC ALLOCATIONS AND
DEVELOPMENT MANAGEMENT POLICIES
DEVELOPMENT PLAN DOCUMENT**

APPENDIX TO INSPECTOR'S REPORT

Main Modification	Page Number	Nature of Main Modification
MM1	13	Paragraph 3.15 replace the words "Sequential and impact tests,..." with "sequential and impact assessments,"
MM2	13	Paragraph 3.15 add the words "where appropriate" after "...to new retail development"
MM3	14	Paragraph 3.16 first sentence add the words " in existing centres" after "...development to be located" and delete the words "on the most central sites in town centres"
MM4	14	Paragraph 3.17 first sentence and second sentence replace the words "The Impact test..." with "Impact assessment"
MM5	14	Paragraph 3.22 delete and replace the words "...which these uses are to be accommodated" with "the Town Centre".
MM6	14	Paragraph 3.23, replace the wording of the fourth sentence (n.b - proposed deletions and additions marked up for reference) with: "The development management policy approach also allows for A2 and A3 uses in recognition of the fact that a proportionate amount of complementary non-A1 activities (such as food and drink outlets and financial services) that can support the vitality and viability of the Primary Retail Frontage.
MM7	14	Paragraph 3.23, fifth sentence delete the words "A2 and A3" and replace with "non-A1"
MM8	14	Paragraph 3.23 add new sentence after fifth sentence: "Non A1 uses which are appropriate in the Primary Retail Frontage are banks, building societies and other financial services covered by A2 Use Class, A3 uses such as Restaurants and Cafes and some A4 and A5 uses which compliment the function of the area and do not compromise the amenity of surrounding residents. Outside of A Use Class, other main town centre uses will usually be more appropriate in the Secondary Retail Frontage or elsewhere within the Town Centre boundary where a more diverse mix of uses is encouraged.
MM9	15	Paragraph 3.28 add new third sentence to read: "The Ashley Road Local Centre includes both a Primary Secondary Retail Frontage where development proposals will be assessed in the same manner as the approach set out for managing the Primary and Secondary Retail Frontage in the Town Centre."
MM10	15	Paragraph 3.29 delete the words "no preferable site is available in the Town Centre,"
MM11	16	Delete DM3 key principle (vi)
MM12	16	DM3 Key principle (v), add the word "and" after "...Policy;"
MM13	16	Existing criterion (vii), replace word "tests" in first line with "assessments".
MM14	16	DM3 Primary and Secondary Retail Frontage. Delete and replace submitted text for (A) Primary Retail Frontage with: " A. Primary Retail Frontage The Council will manage the Borough's Primary Retail Frontage by maintaining a balance between predominantly A1 use and supporting non A1 main town

		<p>centre uses.</p> <p>Proposals for non A1 uses will be permitted in the Primary Retail Frontage where it is demonstrated by the applicant that the use:</p> <ul style="list-style-type: none"> (i) Is appropriate for the Primary Retail Frontage; (ii) Provides a service to shoppers; (iii) Enhances the vitality, viability and diversity of the centre; (iv) Will not result in an over-concentration of non A1 uses in the Primary Retail Frontage either individually or taken together with other non-A1 uses; and (v) Will not harm the predominantly retail character of the Primary Retail Frontage.”
MM15	17	<p>DM3 (C) Development and change of use in Local Centres</p> <p>In criterion (i) delete the words “shopping (A1 use class)” and replace with “A1 use”</p>
MM16	17	Add word “net floorspace” after “...500 square metres”
MM17	17	<p>DM3 (C) Development and change of use in Local Centres</p> <p>In criterion (i) delete the words “and have satisfied the sequential test demonstrating that there are no suitable sites in the Town Centre.”</p>
MM18	17	Add word “net floorspace” after “...200 square metres”
MM19	17	<p>DM3 (C) Development and change of use in Local Centres</p> <p>In criterion (ii) delete and replace the words “non-shopping uses (including the loss of A1 use) with “non-A1 uses”</p>
MM20	18	<p>DM3 (D) Development in Edge-of-Centre and Out-of-Centre Locations</p> <p>In criterion (ii) delete “The Sequential and Impact test is...” and replace with “The Sequential and Impact Assessments are...”.</p>
MM21	18	Final sentence of para 3.36 to be extended to read: ...coastal zone “and have regard to the provisions of PCS 34 on Flood Risk”.
MM22	18	DM 4: Coastal Zone – Add text to end of first paragraph in Policy to include reference to “ <i>and the Poole Harbour SPA and RAMSAR</i> ”
MM23	28	DM5: Tourism and the Evening Economy – Add bullet point at C: Tourist Attractions, i Rockley Park stating “ <i>Safeguards the adjoining Site of Nature Conservation Interest and its protected species.</i> ”
MM24	28	DM5: Tourism and the Evening Economy – Amend bullet point 2 - Rockley Park to state that any redevelopment should “ <i>protect the adjoining Ham Common SSSI, SPA, SAC Ramsar and LNR</i> ”
MM25	28	DM5: Tourism and the Evening Economy – Amend bullet point 3 -Rockley Park to remove the reference to Poole Harbour as an SAC
MM26	35	<p>SSA 4: Crown Closures Ltd., Lake Road – Delete first sentence and insert new text to read “In the event that the Crown Closures Ltd. site in Lake Road becomes vacant, the consideration of future use(s) on the site will be subject to the sequential tests set out in Core Strategy policy PCS 4: Isolated Employment Sites.</p> <p>Where it can be demonstrated that the site is no longer suited or viable for activities falling wholly within the B1, B2 or B8 Use Classes, development incorporating a mix of uses that reflects the sequential approach set out in PCS 4 would be appropriate and could include:-“</p>
MM27	36	SSA 4: Crown Closures Ltd., Lake Road – Amend bullet point three to read “Residential development of a scale and form appropriate to the location.
MM28	41	Amendment to Regeneration Area Sites map to include the Transformer Station within the boundary of the Regeneration Area.
MM29	41	Reword paragraph 5.5 to read:

		‘Underpinning policy PCS 11 was considerable masterplanning work that followed public engagement and culminated in the adoption of Poole Bridge Regeneration Initiative: Planning and Urban Design Guidance for the Central Area of Poole SPG Volume 2. This document has been subject to review undertaken jointly by Cabe and English Heritage. The findings of the assessment are that the principles and aspirations of the original work are sound and provide a solid foundation for delivering regeneration in Poole.’
MM30	41	Insert new paragraph after paragraph 5.5 to read: ‘The planning policies that will apply to the regeneration area are contained within Poole Core Strategy, principally Policy PCS11, and Policies SSA7 to SSA10 inclusive within this document. The policies that are within Poole Local Plan First Alteration 2004, CA1 and CA3-8, no longer apply. In addition the SPG Volume 2 is to be replaced by a new Supplementary Planning Document which will focus on delivery and is programmed to be adopted by December 2012.’
MM31	42	SSA8 (iii): Delete the second sentence so that the criterion reads: (iii) Affordable housing in accordance with Core Strategy policy PCS6.
MM32	49	SSA12: The Goods Yard – amend the fourth bullet point to read: • “Ancillary retail comprising A1/A3/A5”
MM33	54	SSA 15: Land at Park Lake Road - Add reference to PCS 34: Flood Risk, in list of ‘Relevant Core Strategy Policies’
MM34	56	DM 6: Accommodation for an Ageing Population - Amend opening paragraph to read “Proposals for development that help to deliver high quality, well designed accommodation across the whole range of housing types aimed at the growing ageing population of Poole will be permitted where:-”
MM35	57	DM 6: Accommodation for an Ageing Population - Amend first sentence under item (i) to read “Proposals for development across the whole range of accommodation types aimed at meeting the needs of the ageing population will be expected to.....”
MM36	57	DM6: Accommodation for an Ageing Population – Amend bullet point five under item (i) to read “layouts should, where possible, avoid”
MM37	69	DM7: Accessibility and Safety – Amend 7.3 - fifth para to read: “The LTP3 sets out a strategy for transport for the whole of Dorset for the next 15 years with implementation plans detailing proposals over the plan period to 2026.
MM38	72	DM7: Accessibility and Safety - Deletion of word “emerging” from first sentence of Section B of policy.
MM39	72	DM7: Accessibility and Safety – Add the following list of highway improvements that are identified on the Proposals Map, after xii (i) Commercial Road/Chalice Close (rear service road) (ii) Denmark Lane (iii) Mannings Heath Road Road adjacent and opposite to Broom Road (iv) Wool Road/St Georges Avenue Amend B (second paragraph) to read “Development that would prejudice the future implementation of junction and highway improvement schemes....shown on the Proposals Map”
MM40	89	Add following to end of para 9.15 – “Within the Borough there are significant important natural habitat types and species which are identified as being of principle importance in the conservation of biodiversity of England (NERC Act 2006 s.41). The Borough will continue to identify opportunities to enhance and add to them”.