

Borough of Oadby & Wigston



Oadby & Wigston

Core Strategy Statement of Further Representations Matter 8

This statement has been jointly signed up to by
Leicestershire County Council



Matter 8 – Infrastructure and Delivery

Key Issues and Questions:

1. **Having regard for PPS12 (paragraph 4.4 advises that the delivery strategy is central in a Core Strategy and 4.45 expands on the notion of deliverability), does the Core Strategy focus enough on delivery and implementation?**
 - 1.1 Chapter 8: Monitoring and Implementation Framework of the Core Strategy will aid in assessing how, by whom and when the objectives and outcomes of the Core Strategy and its policies are delivered by identifying delivery agencies and relevant indicators and targets.
 - 1.2 The Core Strategy and Appendix 2 (the Local Infrastructure Plan) have been delivered in line with guidance from Planning Policy Statement 12: Local Development Frameworks (PPS12), guidance provided by the Planning Advisory Service in 'Infrastructure Planning and Delivery' (2008) and through localised guidance contained within the Leicester and Leicestershire Housing Market Area Authorities Growth Infrastructure Assessment (April 2009). The items contained within the Local Infrastructure Plan have been included as a result of consultation with the Local Infrastructure Partnership – a body of stakeholders representing branches of the public sector including Education; Leicestershire Constabulary; Primary Care Trust; Leicestershire Fire and Rescue Service; the Voluntary Sector, Leicestershire County Council; and, Oadby and Wigston Borough Council. Other organisations to have had an input on the content of the Local Infrastructure Plan include Central Networks (Electricity); and, Severn Trent (Water). In preparing the Core Strategy, all key stakeholders were consulted upon, including the neighbouring authorities.
 - 1.3 Chapter 8 will allow the Borough Council to evaluate the extent to which the policies are delivering the vision and spatial objectives of the Core Strategy.

- 1.4 With regards to retail in Oadby, Wigston and South Wigston town centres, Wheatcroft & Son and Bloor Homes have raised questions over the deliverability of the Borough Council's targets and state that the Core Strategy must provide much more detail on how these targets will be delivered and what measures will be taken. However, this is not an issue to be dealt with in the Core Strategy but rather within the Town Centre Masterplans, the Area Action Plans for the centres of Oadby and Wigston and the Allocations Development Planning Document. Further explanation into the roles and relationships of the Core Strategy and Area Action Plans is given in Matter 4: Economic Development, Question 11.
- 1.5 Therefore, the Core Strategy does, together with forthcoming documents to be consulted upon by the Borough Council as part of the Local Development Framework such as the Masterplans for Oadby, Wigston and South Wigston provide clarity on delivery and implementation of the Core Strategy and its objectives.

2. Are the links between Chapter 5, Chapter 8 and Appendix 2 sufficient to give a clear picture of intentions for delivery?

- 2.1 Chapter 5: Achieving Sustainable Development – Our Spatial Strategy and Appendix 2: The Local Infrastructure Plan, are linked very closely because the items within the Local Infrastructure Plan will aid and support the delivery of growth that is identified as necessary for the Borough within the Spatial Strategy. Chapter 5 and Appendix 2 are drawn together by Chapter 8: Monitoring and Implementation Framework which outlines how each outcome in the Core Strategy will be delivered, identifying delivery agencies and relevant indicators and targets. By drawing together the Borough Council's objectives to deliver its Spatial Strategy, this provides sufficient clarity as required by PPS12.
- 2.2 The Local Infrastructure Plan in its entirety as a stand-alone document (submitted as supporting evidence for the Core Strategy) and the content within Chapter 5 of the Core Strategy illustrates how the Borough Council anticipates growth to come forward over the course of the Plan period and what needs to be developed in terms of infrastructure delivery to support that growth.
- 2.3 An example of the relationship between these chapters is how the Spatial Strategy focuses upon the delivery of growth within the Borough over the plan period up until 2026 and a key outcome for this will include the delivery of the Direction for Growth to the south east of Wigston which will require infrastructure to support its delivery including the items identified in Appendix 2. These items include providing sufficient access to public transport services to accommodate the growth or to deliver a new primary sub-station and water provision so that the proposed 452 homes have access to a reliable power supply and drinking water / sewerage contingency. Appendix 2 of the Core Strategy has a specific section setting out the items of infrastructure that have been identified as required elements to support the effective delivery of the Direction for Growth. The Local Infrastructure Plan sets out which organisation is likely to deliver such items, when they are likely to be commenced, how much they are likely to cost (if known) and who is likely to

contribute that funding.

- 2.4 The delivery of these items of infrastructure will be measurable over the course of the Core Strategy and as the Borough's growth takes shape. This can be monitored through delivery of the objectives, targets and indicators set out in Chapter 8, such as Spatial Objective 8 which is designed to ensure that Sustainable Design and Infrastructure is delivered over the plan period.
- 2.5 Therefore, yes, the links between Chapter 5, Chapter 8 and Appendix 2 are sufficiently clear to provide more clarity on how the objectives of the Core Strategy and its objectives shall be delivered.

- 3. Do the Local Infrastructure Plan, other work with stakeholders and investigation of funding sources support the Core Strategy policies and proposals, and show that they are realistic?**
- 3.1 The items contained within the Local Infrastructure Plan have been included as a result of consultation with the Local Infrastructure Partnership – a body of stakeholders representing branches of the public sector including Education; Leicestershire Constabulary; Primary Care Trust; Leicestershire Fire and Rescue Service; the Voluntary Sector, Leicestershire County Council; and, Oadby and Wigston Borough Council. Other organisations to have had an input on the content of the Local Infrastructure Plan include Central Networks (Electricity); and, Severn Trent (Water).
- 3.2 This approach has ensured that there is a realistic understanding of the types of infrastructure that will be delivered to support growth in the Borough. In line with PPS12 and the Planning Advisory Service guidance notes on infrastructure delivery, each stakeholder involved in the Local Infrastructure Partnership was given the opportunity to comment on every item included within the plan before finalising the Local Infrastructure Plan and Appendix 2 of the Core Strategy.
- 3.3 To ensure that infrastructure delivery objectives remain realistic for the Borough, it will be important that the content of the Local Infrastructure Plan is reviewed annually with the stakeholder organisations that make up the Local Infrastructure Partnership.
- 3.4 Wheatcroft & Son and Bloor Homes has questioned the validity of Appendix 2 and the Local Infrastructure Plan based upon the items included and the funding streams from which resources to deliver these shall be derived. Where a cost has been stated, this is either committed funding that has been declared by the organisation responsible for its delivery or this is a cost that has been agreed between the Borough Council and the infrastructure provider as the probable cost to finance delivery. For items that are likely to be delivered medium to long term, it is difficult to state at what these costs will be. However, through the annual review of the Local Infrastructure Plan, each

item will be updated to reflect evidence to support its delivery.

- 3.5 For example, Wheatcroft & Son and Bloor Homes have identified the validity of the inclusion of additional allotments as an item of infrastructure. Through the PPG17 Study, a need for more allotments has been identified in the Borough. This requirement for new allotments is also identified within Spatial Objective 10: Promotes Healthy Lifestyles and Paragraph 3.20 of the new Chapter 3: A Spatial Portrait of the Borough of Oadby and Wigston. The Borough Council recognises the potential of delivering such infrastructure through the Direction for Growth but at this stage there is no indication of what the contribution from the developer will be for this. This is something that will become clearer through the preparation of the Allocation DPD and detailed masterplanning for the Direction for Growth. Therefore, the cost of this item is shown in the Local Infrastructure Plan as 'TBC' (to be confirmed).
- 3.6 Therefore, the Core Strategy does, together with forthcoming documents to be consulted upon by the Borough Council as part of the Local Development Framework such as the Developer Contributions SPD and the Masterplans for Oadby, Wigston and South Wigston will provide more clarity on sources of funding to support the delivery of the Core Strategy and its objectives.

4. Does the Core Strategy address funding issues satisfactorily (public sector funding and developer contributions)?

- 4.1 The Core Strategy and the Local Infrastructure Plan have been based upon a sound evidence base by consulting with all organisations that are a part of the Local Infrastructure Partnership and relevant Local Authorities including Leicestershire County Council, Leicester City Council and the neighbouring Districts.
- 4.2 The Roger Tym and Partners Leicester and Leicestershire Housing Market Area Authorities Growth Infrastructure Assessment (2009) was used as a primary basis for all public sectors infrastructure requirements in the Borough.
- 4.3 In line with infrastructure guidance from the Planning Advisory Service, the Local Infrastructure Plan identifies what types of infrastructure are required to support the Borough's growth; when the items of infrastructure need to be delivered; who will be responsible for the delivery of each item; and where possible, funding streams have been identified. For those items that have been identified for delivery with committed funding streams, the cost of delivery has been stated. For longer-term projects where funding has not yet been secured, the source of funding listed has either been agreed with all partners of the Local Infrastructure Partnership or has been lifted directly from the Leicester and Leicestershire Housing Market Area Authorities Growth Infrastructure Assessment (2009).
- 4.4 A Developer Contributions Supplementary Planning Document will be consulted upon in October / November 2010 and should be adopted by February 2011. This will then support items of infrastructure that are identified within the Local Infrastructure Plan and aid delivery.
- 4.5 Infrastructure requirements in association with larger planning applications such as the Direction for Growth will be established through detailed masterplanning in association with the preparation of the Allocations Development Planning Document.

- 4.6 Therefore, the Core Strategy does, together with forthcoming documents to be consulted upon by the Borough Council as part of the Local Development Framework such as the Developer Contributions SPD and the Masterplans for Oadby, Wigston and South Wigston will provide more clarity on sources of funding to support the delivery of the Core Strategy and its objectives.

5. Has the Core Strategy adequately addressed the impact on policing and the needs of Police Infrastructure of the development policies?

- 5.1 The Core Strategy does adequately address the impact on policing and the needs of Police infrastructure in the development policies. As part of the consultation process with each organisation in the Local Infrastructure Partnership, Officers from Leicestershire Constabulary were consulted upon and given the opportunity to respond to the content of the Local Infrastructure Plan, as well as consulted upon at each stage of consultation for the Core Strategy document.
- 5.2 The supporting text for Core Strategy Policy 10: Community Infrastructure in Paragraph 7.10 provides examples of infrastructure which may be sought through developer contributions and it includes 'crime prevention and community safety provision'.
- 5.2 However, having had a meeting with Leicestershire Constabulary since the Submission Core Strategy was published, it has been jointly agreed by Leicestershire Constabulary and Oadby and Wigston Borough Council that both parties would be satisfied with the following changes to the Core Strategy:
- 5.3 An additional bullet to be included in Core Strategy Policy 14: Sustainable Design and Construction to read:
- Achieves layout and design that is safe, secure and enhances community safety
- 5.4 It was also agreed that the Core Strategy should reference 'Association of Chief Police Officers Secured by Design Initiative' and the 'Home Office and Office of the Deputy Prime Minister Safer Places' guidance in the supporting text.
- 5.5 The Local Infrastructure Plan has been formulated to include strategically selected items that are deemed necessary to support the delivery of growth

over the Plan period. The Borough Council does not support the generic formula that has been used to determine the level of developer contribution that Leicestershire Constabulary expects to derive from growth. Infrastructure required to support growth should be identified on the basis of need, not the ability to achieve a particular amount of developer contribution, as appears to be the case in the Statement submission by Leicestershire Constabulary which has led to a proposal to include a '160m2 extension and refurbishment of Wigston Police Station and capital equipment, Basic Command Unit and Police HQ'.

6. Is paragraph 7.12 on the Community Infrastructure Levy satisfactory (in the light of latest Government statements)?

6.1 The advice of the Planning Advisory Service to Local Authorities includes:

- Don't wait to put infrastructure planning in place;
- Infrastructure planning is not an optional extra and not dependant on the Community Infrastructure Levy (CIL) regulations. It is required by PPS12 and essential in developing a sound core strategy; and,
- Policies for tariffs or standard charges through S106 shouldn't stop but should be aware of the relationship to LDF infrastructure strategy requirements and the potential for conversion to a CIL charging schedule.

6.2 When the Oadby and Wigston Core Strategy Publication Draft (October 2009) was submitted, the detailed proposals and draft regulations for the introduction of the 'Community Infrastructure Levy: Consultation - Partial Impact Assessment' was coming to the end of a 12 week consultation period. Therefore, the position stated by the Borough Council in paragraph 7.12 of that document is justified.

6.3 However, the Community Infrastructure Levy was enacted on Tuesday 6 April 2010 and therefore the Borough Council accepts paragraph 7.12 must change to reflect the Council's current position.

6.4 The Borough Council suggests the following text to replace the existing text in paragraph 7.12:

6.5 'The Community Infrastructure Levy 2010 (CIL) was enacted on Tuesday 6 April 2010 and therefore the Borough Council will consider its position with regards to how it will take the CIL into consideration as Government guidance to Local Authorities becomes clearer. The Local Authority is committed to the production of a Developer Contributions Supplementary Planning Document and shall consult on this in autumn of 2010 with a view to adoption in February 2011. Should the Borough Council seek to pursue a CIL Charging Regime, a separate legal document will be subject to an independent

examination’.

- 6.6 This is an appropriate position for the Borough Council in light of the Government’s latest announcement in a recently published Communities and Local Government document; ‘Community infrastructure Levy – An Overview’ (March 2010). It states that: ‘the Government will consult on a new policy for planning obligations to reflect the introduction of CIL and related reform to the use of planning obligations, as well as to deliver the Government’s Planning White Paper (2006) commitment to streamline planning policy. This policy will replace Circular 5/05 and will form an Annex to the new Development Management Planning Policy Statement on which the Government launched a consultation in December 2009’.
- 6.7 The Government has also stated that it will produce new guidance and support for local authorities concerning the setting and operation of CIL, including effective use of planning obligations alongside CIL.
- 6.8 Therefore, with the suggested amendments included, the Borough Council is satisfied that the text set out in paragraph 7.12 is in line with the Government’s latest statement.

7. Is the Core Strategy flexible, and has it had regard for circumstantial changes which might occur over the plan period?

7.1 The Core Strategy has been prepared in line with Paragraph 4.44 of Planning Policy Statement 12 (PPS12) which states:

Core strategies must be effective. This means they must be:

- deliverable;
- flexible; and
- able to be monitored.

7.2 An example is in terms of Appendix 2: The Local Infrastructure Plan. Although the Core Strategy will not be reviewed annually, the Local Infrastructure Plan will be and therefore this provides a degree of flexibility to the evidence base of the Core Strategy and in turn, for the Core Strategy document.

7.3 The Core Strategy is also flexible is because it will provide a responsive supply of housing during the plan period.

7.4 Through the Strategic Housing Land Availability Assessment (SHLAA) a number of sites have been identified as 'developable' and 'deliverable'. The most up to date SHLAA report illustrates that the Borough has a potential for 203 dwellings in 0-5 years, 8 further dwellings 5-10 years, and 2273 further dwellings post 10 years.

7.5 Note – 203 plus 8 minus existing Local Plan Allocations (20 Britford Ave) equals 191, the figure for 'Housing Opportunities identified within the Leicester Principal Urban Area outside of Wigston and Oadby Town Centre Masterplan areas, and outside of the South Wigston Masterplan area', shown in figure 4, p.37 of the Core Strategy.

7.6 The proposed housing trajectory contained within the Core Strategy illustrates that the Borough has, (through SHLAA, town centre masterplans, current commitments, existing allocations and the proposed Direction for Growth) the

appropriate dwelling allocations to provide at least 1800 homes by 2026. By not including windfalls in the housing trajectory, this creates flexibility in the delivery of housing.

- 7.7 Planning Policy Statement 3 (PPS3) suggests that a windfall allowance should not be factored into the first 10 years of land supply unless there is evidence to the contrary. Although the Borough has, historically, relied on windfall sites to provide dwellings, it is now not felt necessary to include these in the housing trajectory. Prior to the development of the Core Strategy, under the existing Local Plan regime, the Borough Council had a limited number of housing land allocations, thus, most housing applications were for development on unallocated land/windfall sites. Since 2005/2006 the only allocated parcel of housing land has been Britford Avenue, which is yet to be developed, meaning, most if not all dwelling development can be classed as windfall development. The submitted Core Strategy has not taken into account windfalls (as prescribed in PPS3 Housing) as, the Borough Council has been able to allocate sufficient housing land to provide 1800 homes by 2026.
- 7.8 The Council are confident that the trajectory illustrated within the Core Strategy will provide the number of homes prescribed; therefore, any windfalls that do occur within the plan period will either add to the 1800 home minimum target or will allow flexibility to obtain that target.
- 7.9 The proposed Direction for Growth would be capable of providing more than the 452 dwellings identified within Core Strategy Policy 1 and the Housing Trajectory should this be necessary.
- 7.10 Therefore, the Core Strategy has had regard for circumstantial changes which might occur over the plan period and is therefore deemed as flexible by the Borough Council.

8. Are there clear arrangements for monitoring progress in respect of delivering the Core Strategy, with clear targets or measurable outcomes which could aid management?

- 8.1 Chapter 8 of the Core Strategy, 'Delivery and Monitoring Framework', sets out the key outcomes that the policies will deliver, brief details of how the outcomes will be delivered and also, the organisations that are to aid the delivery of these outcomes. The Monitoring Framework will allow the Borough Council to evaluate the extent to which the policies are delivering the vision and spatial objectives of the Core Strategy. The schedule sets out the Indicators and Targets that will be used to monitor performance.
- 8.2 The Borough Council will review the Annual Monitoring Report (AMR) which in turn, the indicators within that report shall feed into the monitoring of the Core Strategy. Indicators that are included in Chapter 8 of the Core Strategy will be included in the Annual Monitoring Report.
- 8.3 For example, the Annual Monitoring Report monitors housing completions annually and this will be comparable to the Spatial Strategy and the Housing Trajectory which are included within the Core Strategy.
- 8.4 There are also a series of Local Indicators that are monitored through the Annual Monitoring Report in categories including Housing; Economy; Community; Environment; Waste; and, Performance.
- 8.5 Therefore, the Borough Council is confident that there are clear arrangements for monitoring progress in respect of delivering the Core Strategy, with clear targets or measurable outcomes which could aid management.

9. **Are all the policies in the Core Strategy written to show how the vision, objectives and strategy for the area will be delivered and by whom, and when?**

Are some, particularly Policies 14, 15 & 16, designed to control rather than promote development? If so, should this be recognised? Are some lacking in local distinctiveness, and repetitive of national or regional policy?

9.1 Underneath each policy in the Core Strategy, the Spatial Objectives to which it relates are identified. The policies within the Core Strategy all in some way or another originate as a result of the Vision, Objectives, Spatial Portrait and Spatial Strategy. Together, 'Chapter 8: Monitoring and Implementation Framework' of the Core Strategy and the Annual Monitoring Report will aid in assessing how, by whom and when the objectives and outcomes of the Core Strategy and its policies are delivered.

9.2 For example, Core Strategy Policy 1: Spatial Strategy seeks to promote Wigston as the Borough's main town because of the size and nature of the centre in comparison to the centres of Oadby and South Wigston. This is in line with Spatial Objective 2: Wigston Town Centre;

'Reinforce the role of Wigston Town Centre as the Borough's main town, in particular in terms of encouraging greater national retailer representation and civic function, whilst continuing to support the important role of small independent retailers which create a unique mix within the town'.

9.3 Core Strategy Policy 14: Design and Construction and Core Strategy Policy 15: Landscape and Character are designed to promote development but within the parameters of ensuring good design and development that is respectful of landscape and character. These are important considerations for applications that propose new development. Paragraph 7.62 provides an example of how policies are locally distinctive. The Landscape Character Assessment provides evidence which underpins Core Strategy Policy 15.

9.4 Core Strategy Policy 16: Community Facilities and Places of Worship

promotes development of community facilities and places of worship. This is justified given the multi-cultural nature of the Borough which has been evidenced through the Faith Community Profile and Places of Worship Needs Assessment (December 2008). As indicated in the Spatial Portrait, it is important that account is taken of the need to provide land and facilities to meet the needs of different cultural groups. Due to these circumstances specific to Oadby and Wigston, a policy of this level of detail is considered to be appropriate in the Core Strategy.