

APPENDIX D

**EXISTING LOCAL PLAN POLICIES OF RELEVANCE TO THE WIGSTON TOWN CENTRE
AREA ACTION PLAN AREA**

Sustainability Appraisal of the Wigston Town Centre Area Action Plan
Appendix D – Existing Local Plan Policies Applicable to the Area Action Plan Area

The Oadby and Wigston Local Plan (adopted 1999) details a number of policies applicable to the Wigston Town Centre area.

In September 2007 the Secretary of State issued a Direction under Paragraph 1(3) of Schedule 8 to the Planning and Compulsory Purchase Act (2004) to save a number of policies in the Oadby and Wigston Local Plan. Details of the policies of relevance to the Town Centre area that have been saved, as well as those that have *not* been saved (and explanations as to why these policies no longer apply) are provided in Tables D1 and D2 below.

It should be noted, however, that these policies are likely to be replaced once the Core Strategy is adopted.

Table D1 - Saved Local Plan Policies

Saved Local Plan Policies
<p><u>Proposal SH3: Primary Shopping Areas</u></p> <p>Wigston Town Centre primary shopping area is covered under Proposal SH3 of the Oadby and Wigston Borough Local Plan. Within this primary shopping area, changes of use to shops or redevelopment for shopping purposes will be favourably considered.</p> <p>This is in order to prevent non retailing uses such as banks, building societies and estate agents becoming dominant maintain and encourage a diversity of uses within Wigston Town Centre, ensuring the vitality and viability of the area. Within the Wigston Town Centre primary shopping area Oadby and Wigston Borough Council will encourage shopping provision and will seek to ensure that other uses do not displace retailing as the prime function.</p>
<p><u>Proposal SH4: Criteria for Development in Secondary Shopping Areas</u></p> <p>Two secondary shopping areas are situated within the Wigston Town Centre area. These areas are covered under Proposal SH4 of Oadby and Wigston Borough Local Plan and comprise of mixed use, where shopping and other commercial activities are interspersed with residential properties.</p> <p>Within these shopping areas redevelopment and changes of use of existing premises to retail or service uses will be considered favourably provided:</p> <ul style="list-style-type: none"> • The proposed development would not have any detrimental effects on the amenities of any nearby residential properties; and • The proposed development would be well-related to the character and appearance of the street scene.
<p><u>Proposal SH5: Non-Retail Uses in Primary and Secondary Shopping Areas</u></p> <p>Wigston Town Centre's primary shopping area is covered under Proposal SH5 of the Oadby and Wigston Borough Local Plan. Within this primary shopping area planning permission for non-retail use will be refused where it would result in three or more adjoining units being put to such uses.</p> <p>Oadby and Wigston Borough Council are concerned that some of these uses can form an un-interesting frontage in the street scene. A group of these uses can have an adverse impact on the attractiveness of the shopping street. Equally, if the balance of non-shopping uses becomes too great, the retail function of the shopping area will suffer. SH5 is therefore designed to ensure that concentrations of non retail uses will not occur within the primary of secondary shopping areas.</p>

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Proposal SH6: Protection of Retail Frontages in the Primary Shopping Areas

Wigston Town Centre's primary shopping area is covered under Proposal SH6 of the Oadby and Wigston Borough Local Plan. Within this primary shopping area, with the exception of Bell Street, planning permission for non-retail uses will be granted provided that shop uses (Class A1) will continue to occupy not less than 70% - or the current proportion where it is already below 70% - of the frontage length.

Within Wigston Town Centre primary shopping area there are lengths of frontage where non-retail uses are already over-represented. Further changes of use along these lengths of frontage would be damaging to the vitality of the Town Centre because the predominantly retail character of that frontage would be lost. Oadby and Wigston Borough Council consider that ideally 70% of each frontage length throughout the primary shopping area should remain in retail use. In those lengths where non-retail uses are already over represented, Oadby and Wigston Borough Council will ensure that the situation is not allowed to deteriorate and it would wish to direct further service uses to other parts of the Town Centre.

Proposal Sh7: Restriction on Permitted Change of Use in Bell Street

Bell Street, situated within the primary shopping area of Wigston Town Centre, is covered by Proposal Sh7 in the Oadby and Wigston Borough Local Plan.

Within Bell Street, Wigston planning permission will be granted for non-retail uses provided:

- Shop uses (A1) will continue to occupy not significantly less than 90% of the frontage lengths shown on the proposals map; and
- The development will not prejudice the proposed pedestrianisation of Bell Street.

Oadby and Wigston Borough Council recognise that the presence of a cafe or restaurant could enhance the amount of activity in Bell Street, as could some other uses. However, in order to retain the prime shopping frontage, Oadby and Wigston Borough Council considers that retail shopping should continue to occupy about 90% of each of the frontage lengths.

Proposal Sh8: Restriction on Location of A3 Uses in Wigston

Properties situated along the west side of Leicester Road in the primary shopping area of Wigston Town Centre are covered under Proposal Sh8 of the Oadby and Wigston Borough Local Plan.

Under Proposal Sh8 applications for change of use to food and drink uses (Class A3 of the Use Classes Order) will not be permitted in the frontage of Leicester Road, Wigston Magna between Aylestone Lane and Victoria Street (West side).

Although food and drink uses are not over-represented as a whole Oadby and Wigston Borough Council is concerned to ensure that localised concentrations of these uses do not come to dominate the street scene. By their nature these uses are rarely open during the whole of the day and, therefore, they generally form a break in the shopping frontage. In Wigston, these uses are over-represented on the west side of Leicester Road, between the Bell Inn and Victoria Street. In addition, this section of the primary shopping area, together with the frontage south towards Aylestone Lane, closely adjoins residential properties to the rear and there has been a cumulative impact on the amenities of these residents.

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Proposal SH10: First Floor Residential/Financial/Professional/Office

Wigston Town Centre's primary shopping area is covered under Proposal SH10 of the Oadby and Wigston Borough Local Plan. Throughout the primary shopping area of Wigston Town Centre, proposals for residential, financial and professional services uses and for business office uses at first floor level above shops and service uses will be considered favourably.

Within the primary shopping area there are a number of buildings, upper floors and areas of land which lie vacant or are underused. Oadby and Wigston Borough Council consider that it would be beneficial if these could be brought into residential use wherever possible. This will help revitalise Wigston Town Centre out of shopping hours.

Proposal SH10 states that it may be appropriate in some circumstances to allow financial and professional services or business office uses on upper floors over shops and service uses, provided that access and highway constraints can be met. Particular consideration should be given to the premises' accessibility to those people with impaired mobility.

Wigston Borough Council consider that it would be inappropriate for any shopping or service uses to be expanded into residential streets situated within the Wigston Town Centre area. The requirements for public access and for parking provision would have an adverse impact on the amenities of the adjoining residents and on the visual character of the residential street scene.

Oadby and Wigston Borough Council are aware that car ownership rates in the Borough are high and that the number of householders without a car is likely to fall. Oadby and Wigston Borough Council therefore consider that there are very few circumstances in which it will be appropriate to relax residential parking standards within Wigston Town Centre. However, a more flexible approach to residential parking requirements may be appropriate in the Town Centre area if this enables existing under-utilised and vacant floorspace to be brought into residential use.

Proposal Sh12: The Pedestrianisation of Bell Street

Bell Street, situated within the primary shopping area of Wigston Town Centre, is covered under Proposal Sh12.

A scheme for the pedestrianisation of Bell Street has been prepared and is being implemented so that satisfactory service access to all premises is available.

This is a long-standing proposal in the Oadby and Wigston Borough Local Plan. Following the construction of Bull Head Street, which bypassed the town centre, Bell Street became a cul-de-sac for vehicles, although pedestrians and cyclists are able to use it as a through route. As the premises on both sides of Bell Street were developed, rear access was provided to each. However, the service yard to the rear of 27-35 Bell Street, adjoining Long Lane, has needed to be accessed from Bell Street until a connection could be made to Paddock Street. The redevelopment of the adjoining corner block of vacant and underused land identified in Shopping Proposal 1 will provide an opportunity to close the access to Bell Street from this service yard.

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Proposal L3: New Development in Conservation Areas

The majority of the southern part of the Wigston Town Centre AAP area is designated a Conservation Area. The Lanes Conservation Area extends from Moat Street north towards Paddock Street and spans to the east and west boundaries of the Town Centre area.

Development will not be permitted in, or where it would impact on, the Conservation Area unless:

- The external design and appearance of new buildings and extensions to existing structures will be of a high standard and will preserve or enhance the character and appearance of the area;
- Its location on the site relates well to its surroundings;
- The materials are sympathetic in colour and texture to those of nearby buildings and second hand materials are used where these are appropriate; and
- Existing landscape and built features of value are retained and original materials and elements are reused wherever possible.

Oadby and Wigston Borough Council consider the Conservation Area to have special architectural or historic interest which it is desirable to preserve and enhance. Under the Planning (Listed Buildings and Conservation Areas) Act 1990 Conservation Area Consent generally is required before a building or other structure can be demolished and notice must be given before a tree is lopped or felled. Oadby and Wigston Borough Council have a duty to advertise applications for planning permission affecting the character and appearance of the Conservation Area, and are also required to prepare and implement schemes for environmental enhancement. It is not the aim of a Conservation Area to fossilise an environment, rather to preserve that which is important and to promote design of a high standard when redevelopment becomes necessary.

The Local Plan includes a Schedule of Significant Local Buildings many of which contribute to the character and appearance of individual Conservation Areas. Reference should be made to paragraph 4.36 and Conservation Proposal 22 if a proposed development would impact on any of the buildings set out in the Schedule in Appendix 6(b). It is also important that new development should respect and be well-related to existing properties. Oadby and Wigston Borough Council require applications for development in the Conservation Area to include sufficient detail to enable an assessment to be made of the visual impact of the development in the context of its neighbourhood.

Where an application is made for outline planning permission, Oadby and Wigston Borough Council will require the submission of sufficient information to enable the impact of the development on the character and appearance of the Conservation Area to be assessed.

Proposal R17: Retention of Manchester Gardens in Open Space Use

Allotment Gardens (Manchester Gardens) exist in the southern part of the Town Centre AAP area, adjacent to Leicestershire Police Station grounds. Under Proposal R17 Oadby and Wigston Borough Council will retain the Manchester Gardens in an allotment or other open space use.

The Manchester Gardens are largely in private ownership. However, Oadby and Wigston Borough Council has over a number of years purchased about one-quarter of the plots as they have been offered for sale, in accordance with its long-term policy to protect the existing character of this open space.

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Table D2 – Local Plan Policies Not Saved

Local Plan Policies <u>Not</u> Saved	Explanation
<p><u>Proposal C15: Initial Assessment of Possible Archaeological Potential</u></p> <p>An area in the north east corner of the Lanes Conservation Area, adjacent to Paddock Street and Bulls Head Street, is identified in the Oadby and Wigston Borough Local Plan as an area of archaeological potential.</p> <p>Under Proposal C15 of the Oadby and Wigston Borough Local Plan development will not be permitted on the site unless an initial assessment has been submitted to Oadby and Wigston Borough Council as to whether the site is known or is likely to contain archaeological remains.</p> <p>The preservation of archaeological remains and their setting and amenity value is a material consideration in determining a planning application (see DoE Circular 8/87 paragraph 52 and Planning Policy Guidance (PPG) 16: Archaeology and Planning. Developers will be expected to submit evidence that they have assessed the archaeological potential of any site of a significant scale within the Oadby and Wigston Borough Local Plan area and are recommended to discuss the need for this with Oadby and Wigston Borough Council prior to submitting an application. Within the built up area or in locations close to sites with a known archaeological potential evaluations of much smaller areas may be appropriate.</p>	<p>Proposal expired on 27 September 2007 – Repeats National Policy (PPG 16, Paragraph 19).</p>
<p><u>Proposal C16: Need for Archaeological Evaluation</u></p> <p>An area in the north east corner of the Lanes Conservation Area, adjacent to Paddock Street and Bulls Head Street, is identified in the Oadby and Wigston Borough Local Plan as an area of archaeological potential.</p> <p>Proposal C16 states that planning permission will not be approved for sites where there is an identified but unclarified archaeological potential unless the applicant submits an adequate evaluation of the archaeological implications of the development, which may need to include field trials.</p> <p>The initial assessment may primarily consist of a consultation with the Archaeological Survey section of the Leicestershire Museums, Arts and Records Service. Once the initial assessment has revealed an archaeological potential, it will be necessary for a more thorough field evaluation to be made in order establish the character and extent of any remains and the weight which should be attached to their preservation (PPG16 paragraph 18b) before any planning decision can be made. This field evaluation may need to include field trials.</p>	<p>Proposal expired on 27 September 2007 – Repeats National Policy (PPG16, Paragraphs 21, 22 and Annex 3).</p>

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Local Plan Policies <u>Not</u> Saved	Explanation
<p><u>Proposal C17: Impact of Development on Important Archaeological Sites</u></p> <p>An area in the north east corner of the Lanes Conservation Area, adjacent to Paddock Street and Bulls Head Street, is identified in the Oadby and Wigston Borough Local Plan as an area of archaeological potential.</p> <p>Under Proposal C17 development will not be permitted on the site which would have an adverse impact on the site, unless:</p> <ul style="list-style-type: none"> • The remains will be preserved satisfactorily in situ; or • For a site of less than national significance, if preservation in situ is not feasible or merited the remains will be preserved by investigations and record. <p>For many sites, once sufficient information is available it will be appropriate for planning permission to be approved with appropriate conditions. For minor sites it may be sufficient for a watch to be maintained by an archaeologically qualified person during the excavation phases of the development. However for sites which are shown by the evaluation to be significant at a County or Local level steps must be taken to preserve the remains. Ideally these should be preserved in situ without disturbance. However, where this is not feasible or merited it will be necessary for the developer to make provision for an archaeological excavation and a record of the site before the development proceeds. Should the field evaluation reveal a site of national significance then there should be a presumption in favour of its preservation in situ (PPG16, Paragraph 27).</p>	<p>Proposal expired on 27 September 2007 – Repeats National Policy (PPG16, paragraphs 27, 28).</p>

APPENDIX E
COMPATIBILITY TEST

**Sustainability Appraisal of the Wigston Town Centre Area Action Plan
Appendix E - Compatibility Test**

Compatibility Matrix Key			
✓✓	Highly Compatible	✓	Partially Compatible
✘	Potentially Incompatible	✘✘	Highly Incompatible
~	Neutral		

Sustainability Appraisal Objectives	Wigston Town Centre Area Action Plan Objectives						Comment on Compatibility between Wigston Town Centre Area Action Plan Objectives and Sustainability Appraisal Objectives
	To establish a distinct and sustainable role for Wigston	To encourage the growth of economic and social benefits for local people	To improve and diversify the town centre offer	To provide a safe and legible town centre	To achieve an attractive and accessible place to shop, live and work	To ensure that Wigston reflects high quality and inspirational design	
1. To ensure the provision of decent and affordable housing that meets local needs and links into the provision of services.	✓	✓✓	✓	~	✓✓	✓	The objectives of the Area Action Plan (AAP) will allow the provision of decent and affordable homes; meeting local needs with links to services. Any new housing must be compatible with the needs of the existing population, and should engender high quality design.
2. To improve health and reduce health inequalities by promoting healthy lifestyles, protecting health and providing access to health services.	✓	✓✓	~	✓	✓	~	The reduction of health inequalities through the provision of wide access to health services could be addressed through the promotion of social benefits for local people. In addition, achieving an attractive place for people to work and live will require the provision of good access to health services and will help to maintain good health. A safer town centre may encourage walking.
3. To provide better opportunities for people to access and understand local heritage and participate in cultural and recreational activities.	✓	✓	✓	~	✓	✓	Access to local heritage features and cultural / recreational activities could be incorporated into the requirement to provide an attractive place to live, and through the growth of social benefits for local people. Local heritage will also play an important part in the establishment of a distinctive role for Wigston. High quality and inspirational design presents opportunities for incorporating local heritage.
4. To improve community safety, and reduce crime, anti-social behaviour and the fear of crime.	~	✓✓	✓	✓✓	✓✓	✓	As part of the provision of a safe town centre and the growth of economic & social benefits for local people, an improvement of community safety and a reduction in the fear of crime should be integral. This will also contribute towards the provision of an attractive place to shop, live and work. High quality design should also incorporate design to reduce crime.
5. To promote and support the empowerment of local communities in creating and implementing solutions that meet their needs focusing particularly on young, elderly and deprived people.	~	✓✓	✓	✓	✓	✓	The growth of social benefits for local people and an improvement of the town centre offer will present opportunities for the provision of improved support and empowerment for elderly and deprived groups. High quality and inspirational design may present opportunities for the involvement of local communities.
6. To promote racial harmony and create cohesive communities.	~	✓	✓	✓	✓	~	A growth in economic and social benefits for local people and an increase in the diversity of the town centre offer will contribute towards the promotion of racial harmony and social cohesion. This will also be partially achieved through the provision of an attractive place to live and work.
7. To protect and enhance the natural environment (species and habitats) whilst contributing to the achievement of BAP targets.	✓	~	~	~	✓	✓	As part of the provision of an inspirational design and achievement of an attractive place, the protection of the natural environment and achievement of BAP targets should be integral. This may also be achieved through the provision of an attractive place to live and work.
8. To preserve and enhance the character, appearance and setting of archaeological sites, historic buildings, conservation areas, historic parks and other cultural assets.	✘	✓	✘	~	✓	✓	Wigston town centre incorporates The Lanes Conservation Area. Development associated with establishing a role for Wigston and improving the town centre offer could affect this area and its setting. The preservation and enhancement of historical assets may be achieved through the provision of an inspirational and high quality design, and through the achievement of an attractive place to live and works. In addition, this will contribute towards a growth in social benefits for local people.
9. To protect and enhance the landscape and green spaces in the borough and to provide opportunities for public access to the countryside.	✘	✓	✘	~	✓	✓	Through the provision of an attractive place to live and work and a growth in the social benefits for local people, the protection and enhancement of the greenspaces and landscape in the locality may be integral. Development associated with establishing a role for Wigston and improving the town centre offer could result in loss of open / green spaces - it is important to ensure these are protected.
10. To manage prudently water resources, improve water quality, protect the floodplain and protect against flood risk.	~	✓	~	~	✓	✓	High quality design and the provision of measures to ensure accessibility should consider protection against floodrisk and the prudent management of water resources. In addition, this will work towards the growth of social benefits for local people.

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Sustainability Appraisal Objectives	Wigston Town Centre Area Action Plan Objectives						Comment on Compatibility between Wigston Town Centre Area Action Plan Objectives and Sustainability Appraisal Objectives
	To establish a distinct and sustainable role for Wigston	To encourage the growth of economic and social benefits for local people	To improve and diversify the town centre offer	To provide a safe and legible town centre	To achieve an attractive and accessible place to shop, live and work	To ensure that Wigston reflects high quality and inspirational design	
11. To improve air quality particularly through reducing transport related pollutants.	✘	✓	✘	~	✓	✓	As part of the AAP objectives to ensure an attractive place to live and work, and to ensure a sustainable role for Wigston, the reduction of transport related air pollution should be considered. This will also be engendered within the growth of social benefits for local people. However, development associated with establishing a role for Wigston and improving the town centre offer could attract more people to the town and lead to an increase in car use and associated air pollutant emissions.
12. To manage prudently mineral resources and avoid / reduce pollution of land.	✓	✓	✓	~	✓	~	As part of the objective to ensure the growth of economic and social benefits for local people and the provision of an attractive place to live and work, the prudent management of land resources should be integral. Development in Wigston may also reduce the need for development of greenfield sites.
13. To minimise energy use and develop renewable energy resources.	✓	✓	~	~	✘	✓	The use of renewable energy sources could be taken forward as part of the objective to develop a sustainable role for Wigston and to produce a high quality and inspirational design. However, the use of certain modes of renewable energy sources (e.g. wind turbines) may have a negative impact on the visual amenity of the area for some potential residents.
14. To reduce greenhouse gas emissions to mitigate the rate of climate change.	✘	✓	✘	~	~	✓	Under the AAP objectives to provide a sustainable role for Wigston, and to ensure the growth of social and economic benefits for local people, a commitment to reduce greenhouse gas production should be integral. However, development associated with establishing a role for Wigston and improving the town centre offer could attract more people to the town and lead to an increase in car use and associated greenhouse gas emissions.
15. To involve people, through changes to lifestyle and at work, in preventing and minimising adverse local, regional and global environmental impacts.	✓	✓	~	~	✓	✓	The prevention and avoidance of local, regional and global environmental impacts resulting from human activity in the locale will form part of the AAP objective to establish a sustainable role for Wigston. In addition, this will also assist in the growth of economic and social benefits for local people. Provision of an accessible location will help to encourage people to walk rather than use their cars.
16. To improve access to education and training for children, young people, adult learners, the unemployed, the disabled and the deprived.	✓	✓✓	~	~	✓✓	~	Through the AAP objective to ensure the growth in economic and social benefits for local people, and the provision of an accessible and attractive place to live and work, the improvement of access to education and training facilities will be paramount.
17. To develop a strong culture of enterprise and innovation whilst providing access to appropriate employment opportunities for the local population.	✓	✓✓	✓	~	✓✓	✓	As part of the growth of economic benefits for local people and the provision of an attractive place to shop, work and live, the development of a strong enterprise culture with good access to employment opportunities for all will be central.
18. To optimise the use of previously developed land, buildings and existing infrastructure.	✓	✓	✓✓	~	✓	✓	The objectives to improve and diversify the town centre, and to provide a high quality and inspirational design presents opportunities to optimise the re-use of land and existing buildings wherever possible.
19. To promote and ensure high standards of sustainable design and construction.	✓	✓	✓	~	✓	✓✓	The establishment of a distinct and sustainable role for Wigston, and the use of high quality and inspirational design will contribute towards the use of sustainable construction techniques.
20. To minimise waste and to increase the re-use, recycling and composting of waste materials.	✘	✓	✘	~	✓	✓	The AAP objectives to increase social benefits for local people and to achieve an attractive place to live and work are compatible with waste minimisation and recycling. However, development associated with establishing a role for Wigston and improving the town centre offer could result in construction and operational waste.
21. To improve access to services for those without a car, disabled people, elderly people, ethnic minorities and deprived people by providing for everyday needs in each settlement.	✓✓	✓✓	✓	✓	✓✓	✓	To achieve the AAP objective of ensuring a growth in economic and social benefits for local people, the improvement of access to services for special needs groups and those without access to private modes of transport will be paramount. Ensuring that Wigston is an attractive and accessible place to shop, live and work will contribute towards improving access for all.
22. To encourage and develop the use of public transport, cycling and walking.	✓✓	✓	✓	✓	✓✓	✓	The establishment of a sustainable role for Wigston and the provision of an accessible and attractive place to shop, live and work will help to encourage improvements in public transport infrastructure and safe routes for pedestrians and cyclists.