

# Oadby and Wigston Pre-Submission Local Plan: Summary of Representations Made on behalf of Jelson Homes Ltd Land North of Newton Lane, Wigston (Site OWBC 43)

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## Introduction

1. GVA is instructed by Jelson Homes Ltd (Jelson) to submit representations to the Pre-Submission version of the Oadby and Wigston Local Plan. Jelson is promoting, in conjunction with Davidsons, land to the north of Newton Lane, Wigston for allocation for residential development in the Plan. The site has been considered by Oadby and Wigston Borough Council (the Council) and has been assigned reference number OWBC 43.
2. We have prepared detailed representations setting out Jelson's position in respect of the Pre-Submission version of the Plan. However, the Council has asked that where representations exceed 1,000 words in length, a short summary is also provided. This note therefore provides that summary. However, it is important that this note is read alongside our detailed representations, rather than in isolation, because it is our detailed report that provides the explanation and justification for the comments we make on behalf of our client.
3. On a final general point, and as specified in our detailed representations, we can confirm that we wish to appear at the Examination in Public on Jelson's behalf.
4. We now turn to summarise our representations in respect of the following matters:-
  - i) the proposed plan period and the presumption in favour of sustainable development;
  - ii) housing need, supply and delivery;
  - iii) Green Wedges; and
  - iv) the merits of allocating Site OWBC 43.

## The Proposed Plan Period and the Presumption in Favour of Sustainable Development

5. As we have explained in our representations, the Council proposes a plan period extending only to 2031, rather than 2036 as it has previously proposed when consulting on its Preferred Options document. We have concluded that there is no reason why the Council should not propose a plan period to 2036, and have also explained that a plan period extending to 2031 (and so lasting only 13 years, if the Plan were adopted in 2018), would not be consistent with the National Planning Policy Framework (NPPF). Consequently, we conclude that Chapter 1 of the Plan is not positively prepared because it is not based on a strategy that seeks to meet objectively-assessed need. We also conclude that it is not justified because it does not deliver the most appropriate strategy. Finally, we conclude that it is inconsistent with national policy, as the NPPF directs that plan periods should be 15 years in length.
6. We are of the view that the Council must revisit its proposed plan period and should look to prepare a plan which extends up to 2036.

7. We have also reviewed the Council's proposed Policy 1, which addresses itself to the presumption in favour of sustainable development. We have explained in our representations that the wording of Policy 1 does not reflect the positive approach of Paragraph 14 of the NPPF. For this reason, we have concluded that Policy 1 is unsound and must be amended to reflect Paragraph 14 of the NPPF.

#### **Housing Need and Delivery**

8. Section 4 of our representations considers housing need and delivery matters. We have explained that paragraphs 4.2.4 to 4.2.12, Table 1 and Policy 2 of the Plan all fail to demonstrate a flexible approach to the delivery of housing in the Borough, and are therefore inconsistent with Paragraph 14 of the NPPF, rendering the Plan unsound.
9. Notwithstanding that, we have also identified an error in Table 1, so that in any event, the Council has not proposed sufficient allocations to meet its objectively-assessed needs. As such, we have found that this part of the Plan is not positively prepared.
10. We have also found that Policy 2 and paragraphs 4.2.5 and 4.2.6 fail to seek to meet unmet needs arising elsewhere in the housing market area, and so fail to propose an appropriate strategy or to deal effectively with cross-boundary issues. This results in the Plan being unsound, in our view.
11. We have explained that, while the Council has proposed a clause which sets out when a review of the plan might be prepared, this should be enshrined into policy rather than left to the supporting text.
12. We have concluded in Chapter 4 that the Council must revise its spatial strategy in order to remedy the issues which, in our view, cause the Plan to be unsound. We have explained that the land being promoted by Jelson, in conjunction with Davidsons, provides an opportunity to allocate additional land.

#### **Green Wedges**

13. In relation to Green Wedges, Chapter 5 of our representations concludes that Policies 18 and 21 (insofar as they relate to Green Wedges), and Policy 42 are based on inappropriate evidence, and are therefore not justified. The Green Wedge Review prepared by the Council contains no real assessment of the potential for the release of land from the Green Wedge, nor any justification for the proposed releases of land from the Green Wedge, or the redrawing of boundaries to include new land in the Green Wedge, at Stoughton Grange and Cottage Farm.

#### **The Merits of Allocating Site OWBC 43**

14. Chapter 6 of our representations explain that Policies 2, 18, 20 and 21 are not justified because they do not propose the most appropriate strategy when read alongside the Sustainability Appraisal that forms part of the evidence base for the Plan. The Appraisal shows that the land being promoted by Jelson in conjunction with Davidsons is a more sustainable option than the proposed allocations at Stoughton Grange and Wigston Direction for Growth Phase 2, and is at least equally, if not more, sustainable than the Cottage Farm Phase 2 site. To further emphasise that point, we have explained our own reasons why there is significant merit in allocating Site OWBC 43, in recognition of its location adjacent to the existing urban area, and which is sustainable and suitable for housing. We

have therefore concluded that the Council must revisit its spatial strategy in the light of the findings of its evidence base.

**GVA**  
**18 December 2017**



**GVA**

An **APLEONA** company



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## **Representations to Oadby and Wigston Local Plan Pre-Submission Version**

### **Land at Newton Lane, Wigston (Site Number OWBC 43)**

December 2017



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For and on behalf of GVA Grimley Limited





# 1. Introduction

- 1.1 GVA is instructed by Jelson Homes Ltd ('Jelson') to prepare representations to the Pre-Submission Version of the emerging Oadby and Wigston Local Plan ('the Plan'). Specifically, Jelson wishes to make representations in respect of a site at Newton Lane, Wigston. The site was submitted to Oadby and Wigston Borough Council ('the Council') in January 2017, shortly after consultation on the 'Preferred Options' version of the Plan. The site has been assigned the reference number OWBC43 by the Council.
- 1.2 The purpose of this Report is to, principally, set out the detail of Jelson's position in respect of the Plan. We have completed individual representations forms on behalf of Jelson. However, those forms refer back to this Report and so should be read alongside this document.
- 1.3 In summary, Jelson is of the view that the Plan, as currently drafted, is not sound, for a number of reasons. These are explained in subsequent sections of the Report. We can confirm that we wish to appear at the Examination in Public Hearing Sessions.
- 1.4 Because the Council has not made response forms available to facilitate the submission of representations, we have attempted to set out our representations within the body of this report. Accordingly, within each section, our formal representations on the soundness of the plan are set out in **bold, italic** text.
- 1.5 We have previously made representations in respect of the Preferred Options version of the Plan. These are appended for reference at Appendix I.
- 1.6 With these introductory points in mind, the remainder of the Report is structured as follows.
- **Section 2** describes the site which is being promoted by Jelson.
  - **Section 3** sets out our representations in respect of general matters raised by the Plan.
  - **Section 4** sets out our representations in respect of matters relating to housing need, supply and delivery.
  - **Section 5** sets out our representations in respect of matters relating to Green Wedges.
  - **Section 6** sets out our representations in respect of the merits of the site being developed for residential use, both in isolation and when compared to the Council's proposed allocations, with reference to the Council's Sustainability Appraisal.
  - **Section 7** provides a brief summary of our representations.



## 2. The Site

### Site Description

- 2.1 Jelson, in conjunction with Davidsons, is promoting the allocation of circa 47 hectares of land to the south-east of Wigston for residential development in the Plan. A plan showing the extent of the site is included at Appendix II. The site comprises agricultural land. There are groups of mature trees and hedges along the boundaries of the site, and a handful of trees planted within it. The site is otherwise 'open'. The site gently slopes from west to east. A single public right of way bisects the site from west to east.
- 2.2 The proposed allocation site is bounded on its northern and north-western sides by agricultural land, beyond which lie, to the north, Brocks Hill Country Park, and to the north-west, by the urban edge of Oadby; the distance between the boundary of the proposed allocation site and the edge of Oadby is circa 400 metres at its closest point. To the east of the site is agricultural land and countryside. The southern boundary is formed by Newton Lane, beyond which is land allocated in the adopted Oadby and Wigston Core Strategy as a 'Direction for Growth' site. That site is being promoted by David Wilson Homes and now benefits from planning permission for the development of 450 dwellings.
- 2.3 The site is bounded on its western side largely by the rear gardens of residential properties. Beyond those is the built-up area of Wigston. Accordingly, we conclude that the site is well-related to the urban area.
- 2.4 A small part of the site, comprising a single field to the north of Denbydale, is currently the subject of an outline planning application for the development of up to 56 dwellings, which GVA has submitted to the Council on behalf of Jelson. The application remains, at the time of writing, undetermined, although a decision is expected early in the new year.

### Flood Risk

- 2.5 Flood Maps published by Government indicate that the site is entirely within Flood Zone 1, and so is at low risk of flooding. Furthermore, the maps indicate that the site is not located close to any areas of greater flood risk.

### Listed Buildings and Other Heritage Assets

- 2.6 A review of Historic England's records indicates that there are no statutorily listed buildings, or other designated heritage assets, on the site, or in close proximity to it.

### Transport and Highways

- 2.7 Newton Lane connects to Welford Road some 1 kilometre to the west of the site. Welford Road provides a direct vehicular route to Wigston town centre (located circa 1.2 kilometres from the site) and Leicester City Centre (located circa 6.5 kilometres to the north) (measurements taken from the mid-point of the proposed allocation site).
- 2.8 There is a bus stop approximately 430 metres from the southern boundary of the site, located on Guthlaxton Way, which is accessed from Newton Lane. There are also a number of bus stops on Meadow Way, approximately 120 metres from the western boundary of the site.



- 2.9 The north-bound bus stops on Meadow Way, and the bus stop on Guthlaxton Way, are served by routes 47A and 49. The south-bound bus stops on Meadow Way are served by routes 48A and 49.
- 2.10 It appears that routes 47A and 48A provide services between Wigston and Leicester City Centre, on a circular route, and operate seven days a week with a 30 minute frequency.
- 2.11 Route 49 also provides a frequent daytime service between Leicester City Centre and Wigston and operates from Monday to Saturday.
- 2.12 The nearest railway station to the site is South Wigston station, approximately 4.2 kilometres to the west of the site. South Wigston is served by a route which provides access to the principal centres of Leicester and Birmingham (which provide connections to, inter alia, London, Derby, Nottingham and Cambridge), in addition to local rail stations in Leicestershire.
- 2.13 We conclude on this basis that there is generally a good level of accessibility to public transport in Wigston.

### **Local Facilities**

- 2.14 There are a number of shops and facilities located in Wigston town centre, including convenience stores operated by Sainsbury's, Aldi, Iceland and Farnfoods, and a range of service sector uses.
- 2.15 Leicester City Centre, as the principal centre in the County, comprises a comprehensive range of convenience and comparison shopping facilities, as well as healthcare facilities and employment opportunities.

### **Education Facilities**

- 2.16 The nearest primary school to the site is Glenmere Community Primary School, which is located circa 0.8 kilometres from the site (measured from the centre). The Meadows Community Primary School, which is located circa 0.9 kilometres from the site, and All Saints Primary School, circa 1.6 kilometres from the site, provides additional primary education provision. The nearest secondary school is Gartree High School, which is located circa 0.9 kilometres from the site. There is further provision at Wigston Academy, circa 2 kilometres from the site. On this basis, we conclude that there is available access to both primary and secondary education facilities in Wigston.

### **Current Policy Designations**

- 2.17 The western part of the site is located within the Oadby and Wigston Green Wedge, which is, principally, intended to maintain separation between the two aforementioned towns. The remainder of the site is located in the countryside.

### **Potential Allocation**

- 2.18 Jelson, in conjunction with Davidsons, proposes the allocation of the site for residential development. Attached at Appendix III is a Landscape Framework Plan prepared by Golby and Luck. The plan includes a contextual analysis of the site in relation to its landform and the extent to which it contributes to the separation of Oadby and Wigston, among other things. It goes on to propose a 'Landscape Framework', which shows, firstly, how potential development parcels could be arranged in order to maintain separation between Oadby and Wigston and avoid any coalescence of the two. Secondly, the framework plan shows



how new landscape planting and green infrastructure, in addition to the enhancement of existing features, could ensure that an appropriate 'edge' to the development is achieved, in order to establish an appropriate relationship between the extended urban edge of Wigston, and the countryside which lies beyond.

- 2.19 In terms of access, Jelson and Davidsons have commissioned ADC Infrastructure to assess access options. ADC has prepared a report, a copy of which is attached at Appendix IV. The report identifies a number of potential site access options. These include: an additional arm from the already-consented roundabout which will be formed in connection with the development by David Wilson Homes on the southern side of Newton Lane (the Wigston 'Direction for Growth' site); a new roundabout to the east along Newton Lane; and / or an additional T-junction onto Newton Lane. Secondary access to the site is also possible from Denbydale and Rosedale and could be taken across land controlled by Jelson. These secondary accesses will also provide the opportunity for pedestrian and cycle links into the existing urban area.
- 2.20 Finally, the report also concludes that there is no reason in transport terms why an allocation of the site could not be supported.





### 3. General Observations on the Pre-Submission Version

3.1 Having described the site in Section 2, we now turn to set out our comments on the soundness of the Pre-Submission version of the Plan. We begin in this Section by offering some comments on general matters relating to the draft Plan. We then consider more specific issues in subsequent Sections.

#### Plan Period

3.2 The National Planning Policy Framework ('NPPF') provides guidance on the preparation of Local Plans. At Paragraph 157, the second bullet states that Local Plans should be "drawn up over an appropriate time scale, preferably a 15-year time horizon, take account of longer term requirements, and be kept up to date".

3.3 The Pre-Submission version of the Plan proposes a plan period extending from 2011 to 2031. The Council's most recent Local Development Scheme, published in 2017, states that the Council expects the Plan to be adopted in 2018. If that were the case, then the Plan would be due to expire within 13 years of adoption, and so would not look across a fifteen year timeframe as preferred by the NPPF. It would also be incapable, in our view, of taking account of longer term requirements. Consequently, we conclude that the proposed plan period is in conflict with Paragraph 157 of the NPPF, and is therefore not sound on this basis.

3.4 It is worth also noting, though, that when the Council published the Local Plan 'Key Challenges' document for consultation in November 2015 (in other words, its 'Issues and Options' document), it invited consultees to comment on a proposed housing target of 95 dwellings per annum up to 2036. Similarly, the 'Preferred Options' document, published in November 2016, assumed a 20 year plan period, with a base year of 2016 and an expiry year of 2036. In other words, it is evident that the Council was seeking to plan for the period up to 2036. At that time, up-to-date evidence on housing need in Leicestershire was not available.

3.5 However, the Pre-Submission version of the Plan now only proposes a plan period extending to 2031, with the base year rolled back to 2011. Paragraph 1.2.6 of the Pre-Submission version states that the plan period extends to 2031 "in order to align with the Strategic Growth Plan and to enable effective co-operative working with other local planning authorities in the Leicester and Leicestershire HMA over Plan periods". It goes on to say, with specific reference to the Strategic Growth Plan, that,

*"the Strategic Growth Plan... focuses on the period post 2031, for which it identifies a 'notional housing need'. It recognises that for this period there are no reliable estimates of population growth or household change, thus it estimates future housing needs by projecting forwards the annual figures set out within the HEDNA [Housing and Economic Development Needs Assessment]"*.

3.6 At Paragraph 1.5.3, the Council states that,

*"to ensure that the Leicester and Leicestershire HMA housing and employment OAN is fulfilled up to 2031, a Statement of Cooperation and subsequent Memorandum of Understanding will be produced..."*.



- 3.7 We understand that the Strategic Growth Plan is a document being prepared jointly by the Leicestershire authorities and the Leicestershire Local Enterprise Partnership. Its purpose, among other things, is to give consideration to the distribution of housing growth across the Leicestershire housing market area, particularly in the light of Leicester City Council being unable to meet its objectively-assessed need within its administrative area (see subsequent Sections). We have reviewed a 'Consultation Draft' version of the Strategic Growth Plan dated 7 November 2017. This too considers housing needs issues from a baseline of 2011 to both 2031 and 2036, in order "to align with the different time periods for which Local Plans are currently being prepared" (Appendix A of the Strategic Growth Plan, page 21).
- 3.8 The quotes from the Pre-Submission version of the Local Plan given above would appear to be at odds with the latest version of the Strategic Growth Plan, which states that (our emphasis added),
- "For the period beyond 2036, there are no reliable estimates of population growth or household change, nor economic forecasts, but we need to have some understanding of how much growth we might be expected to accommodate in future" and that, "the agreed distribution for the period 2011-36 will be set out in a Memorandum of Understanding which will be published in early 2018. This will be used as the basis for preparing or reviewing Local Plans with 2036 as an end date".*
- 3.9 It appears, from our reading of the Strategic Growth Plan, that there is no reason why the Council cannot promote a plan period extending up to 2036. Indeed, we note that the Melton Borough Council Local Plan, which is currently being subject to Examination (and so is an emerging plan being prepared by another Leicestershire authority), proposes a plan period up to 2036.
- 3.10 We also note that the Council's principal source of evidence in relation to housing need (the Housing and Economic Development Needs Assessment, or 'HEDNA', prepared by GL Hearn, and others, on behalf of the Leicestershire authorities, and published in January 2017), reaches conclusions on objectively-assessed housing need up to both 2031 and 2036, with a base date of 2011 in each case. Paragraph 1.4 of the HEDNA main report states that two timeframes were used "to reflect plan periods used in different authorities".
- 3.11 As such, we do not accept the Council's contention that the plan period must only extend to 2031 in order to align with the Strategic Growth Plan and plans being prepared by other Leicestershire authorities. The Strategic Growth Plan, and the HEDNA, both address the time period up to 2036, and so if the Council proposed a plan period to that year, as it contemplated doing in 2015 and 2016, then it would, we conclude, be aligned with those documents.
- 3.12 We note that the consultation draft of the Strategic Growth Plan from November 2017 refers, at Appendix A, to a declaration made by Oadby and Wigston Borough Council that it would be unable to meet its objectively-assessed need for the period up to 2036 identified by the HEDNA. This is also reported in a Joint Statement of Co-Operation prepared by the Leicestershire authorities in November 2017; this latter document suggests that the Oadby and Wigston Borough Council reported this position in March 2017.
- 3.13 On this basis, our client is concerned that the Council has sought to purposely reduce the plan period from 2036, as it previously proposed at the Preferred Options stage, to 2031, in order to avoid having to grapple with the housing need arising in that longer timeframe. This is further evidenced by the spatial strategy that the Council has proposed (and which we comment on in subsequent sections). In our view, this means that



the Plan has not been positively prepared, and nor is it justified, because it does not deliver "the most appropriate strategy" as required by Paragraph 182 of the NPPF. In other words, the Plan fails these tests of soundness.

- 3.14 We conclude that the Council could remedy these issues by reinstating the plan period to 2036 that it originally proposed at the Preferred Options stage.

#### **Representation**

- 3.15 ***On behalf of our client, we conclude that Chapter 1 of the plan is not positively prepared because it is not based on a strategy that seeks to meet objectively-assessed need. We also conclude that it is not justified because it does not deliver the most appropriate strategy. Finally, we conclude that it is inconsistent with national policy, as the NPPF directs that plan periods should be 15 years in length.***
- 3.16 ***We are of the view that the Council must revisit its proposed plan period and should look to prepare a plan which extends up to 2036.***

#### **Presumption in Favour of Sustainable Development**

- 3.17 Paragraph 14 of the NPPF establishes a 'presumption in favour of sustainable development', the wording of which is now well-established and recognised. Paragraph 15 of the NPPF directs that policies in Local Plans should,

*"follow the approach of the presumption in favour of sustainable development so that it is clear that development which is sustainable can be approved without delay. All plans should [have] clear policies that will guide how the presumption should be applied locally".*

- 3.18 Draft Policy 1 of the Pre-Submission version of the Local Plan seeks to establish a 'presumption in favour of sustainable development'. The final part of proposed Policy 1 states that,

*"should there ever be a time when the Plan is deemed absent or silent or out of date, the Council will not look upon development proposals positively, where the proposal is deemed unsustainable, and / or the adverse impacts associated with the proposal significantly and demonstrably outweigh the benefits..."*

- 3.19 In our view, this wording is excessively negative, and fails to capture the positive thrust of Paragraph 14, which directs that planning permission should be granted unless any adverse impacts would significantly or demonstrably outweigh the benefits, or policies in the Framework indicate that development should be restricted. Put another way, it fails to recognise that where Paragraph 14 is engaged, a 'tilted balance' is to be applied, as established in *Cheshire East Borough Council versus the Secretary of State for Communities and Local Government and Renew Land Developments Ltd.*
- 3.20 Accordingly, we conclude that the final paragraph of draft Policy 1 is inconsistent with the NPPF and requires amendment in order to accurately reflect the 'presumption' in Paragraph 14.



**Representation**

- 3.21 ***On behalf of our client, we conclude that Policy 1 is unsound because it is inconsistent Paragraph 14 of the NPPF. The Council should amend the wording of Policy 1 in order to be consistent with the NPPF.***





## 4. Housing Need and Delivery in Oadby and Wigston

- 4.1 We have noted in Section 3 that the NPPF places at its heart the 'presumption in favour of sustainable development'. Paragraph 14 of the NPPF confirms that, for plan-making, the 'presumption' means, among other things, that "*Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change*" (our emphasis added). In our view, this requirement is critical in the context of the direction at Paragraph 47 of the NPPF, that local authorities should "*boost significantly the supply of housing*". In other words, when preparing Local Plans, authorities should ensure that there is sufficient flexibility in their housing policies and allocations to enable objectively-assessed needs to be met within the plan period.
- 4.2 The Pre-Submission version of the Plan states, at draft Policy 2, that the Plan will allocate "*sufficient land to provide at least 2,960 new additional homes*". This equates to a housing target of 148 dwellings per annum between 2011 and 2031. The Council has stated at Paragraph 4.2.4 of the consultation document that this is taken from the 'Housing and Economic Development Needs Assessment ('HEDNA') prepared by GL Hearn, Justin Gardner Consulting and Oxford Economics, and which was published in January 2017. The HEDNA was prepared on behalf of the Leicestershire authorities and addresses housing need across the housing market area. Jelson welcomes the Council's decision to propose a housing target which reflects the objectively-assessed need identified in the HEDNA.
- 4.3 Table 1 on Page 28 of the consultation document states that between 1 April 2011 and 31 March 2017, 578 dwellings had been completed, while a further 768 dwellings were committed. Although this is not explicitly stated, we assume this means sites which benefitted from an extant planning permission at 31 March 2017. Consequently, the Council concludes that it only needs to provide 1,614 dwellings by 31 March 2031 in order to meet its objectively-assessed need. The remainder of Table 1 goes on to state that those 1,614 dwellings will be delivered through:-
- i) the allocation of 205 dwellings on land in Wigston Town Centre and Oadby District Centre;
  - ii) the allocation of 1,159 dwellings on sites in 'Direction for Growth' areas; and
  - iii) the delivery of 250 dwellings on "*smaller allocation sites*" (that is, those which might accommodate between 11 and 99 units).
- 4.4 Cumulatively, dwellings in those three categories add up to 1,614, and so balance the residual housing requirement up to 2031. This is in contradiction to the proposed wording of Policy 2, which states that the Council will allocate land to provide "*at least 2,960 dwellings*" (our emphasis added). From our reading of Table 1, the Council is seeking to allocate only enough land to provide no more than 2,960 dwellings.
- 4.5 We note that later sections of the Pre-Submission document identify the following new Direction for Growth sites, along with notional capacities, as follows:-
- Wigston Direction for Growth Phase 2 – 600 dwellings;
  - Cottage Farm Direction for Growth Phase 2 – 250 dwellings; and
  - Stoughton Grange Direction for Growth – 300 dwellings.
- 4.6 Together these total 1,150 dwellings, and not 1,159 as stated in the Council's Table 1. Therefore, if the figure in Table 1 were accurately stated, then the Council would be 9 dwellings short of meeting its objectively-



assessed need up to 2031. Accordingly, on the face of it, it appears that the Council has, contrary to what it states in the Plan, not identified sufficient land to meet its objectively-assessed needs up to 2031.

- 4.7 Moreover, even if the figures in Table 1 were correct, in order for the Council to meet its objectively-assessed housing need up to 2031, it will need all of the sites which had an extant planning permission at 31 March 2017 to be developed. The Council will also need all of the proposed allocations in the town and district centres, on the proposed Direction for Growth sites, and on the 'smaller allocations' to be developed over the plan period, and to deliver the number of units expected by the Council. The corollary of that is that non-delivery of any site with an extant planning permission, any failure of the proposed allocations to be developed, or delivery of fewer dwellings on the proposed allocations than the Council expects, will result in the objectively-assessed need for the Borough not being met. As a matter of principle, Jelson is of the view that this represents a highly inflexible approach, and means that the Plan is not positively prepared as a result.
- 4.8 Notwithstanding the above points, the Council goes on to state, at Paragraph 4.2.11, that "*there is an additional number of new homes that could be delivered up to the end of the Plan period 2031 [sic] or beyond*". The Council states that these additional dwellings comprise:-
- 40 dwellings within the settlement boundary of Kilby Bridge;
  - "*approximately*" 300 new dwellings on a potential Phase 3 of the Wigston Direction for Growth site; and
  - an assumed 70 windfall dwellings over the plan period.
- 4.9 The Council goes on to conclude that this "*buffer*" of circa 400 dwellings "*would negate any potential delivery issues on allocated sites*".
- 4.10 While draft Policy 17 addresses itself to Kilby Bridge, and seeks to provide policy support for the development of up to 40 dwellings in the village, we note that the Council does not seek to formally allocate specific sites in that location to accommodate new dwellings. In our view, this raises uncertainty over the extent to which 40 dwellings might be delivered in Kilby Bridge over the plan period. This is the reason, we presume, that the Council has not made an allowance for those 40 dwellings in its Table 1.
- 4.11 The second component of the 'buffer' is a potential third phase of the Wigston Direction for Growth site. We understand that Phase 1 comprises the allocation in the adopted Core Strategy (which now benefits from planning permission) and Phase 2 is proposed for allocation in the new Plan. However, it is apparent that the Council is not looking to allocate Phase 3 in the Plan. Moreover, at Paragraph 4.2.12, the Council states (our emphasis added),

*"Should evidence suggest a need for further development at the Wigston Direction for Growth area (Phase 3), it would be subject to appropriate testing, in particular, highway and transport infrastructure capacity, and liaison with the Borough Council and Leicestershire County Highways department. Any proposal would also be subject to the development being sensitive to the countryside areas that surround it and sustainable and appropriate in size and facility provision. This will be Plan led and will be considered through a future review of the Plan".*



- 4.12 From our reading of this statement, it is apparent that the potential for a third phase of development at the Direction for Growth site has not been subject to any robust testing in relation to its suitability or deliverability, and so there is no certainty that it is capable of making any contribution to the delivery of housing in the Borough. Moreover, the Council has stated that, if a third phase were to be contemplated, it could only be achieved through a review of the Plan. In a situation where the Council needed to identify additional sites because its allocations were not delivering, relying on a review of the Plan to rectify the shortfall in delivery would only add further delay. For these reasons, we conclude that no reliance can be placed on a potential third phase at the Wigston Direction for Growth site in order to provide a 'buffer' against under-delivery. If such a review were to take place then this should in any event consider all potential development options, not just the suggested third phase to the Direction for Growth. The site promoted by Jelson / Davidsons is in a broadly similar location to the Direction for Growth and could equally form an effective third phase, but potentially with greater benefits. These need to be properly tested in order that the most appropriate strategy can be identified. As things stand, we conclude that the Council is seeking to delay undertaking such an assessment now, but at the same time is pre-determining what the solution to under-delivery of the proposed allocations might be.
- 4.13 When taken with the uncertainty over the delivery of 40 dwellings at Kilby Bridge, we conclude that the only source of alternative development which the Council can rely on, if its committed sites or proposed allocations fail to deliver, is windfall development. The Council has assumed that 70 windfall dwellings might be delivered over the plan period, equating to just 2.3% of the proposed housing target.
- 4.14 A buffer which comprises such a small proportion of the Borough's housing need does not, in our view, represent sufficient flexibility that would enable the Council to respond to "rapid change" as required by Paragraph 14 of the NPPF. Again, this leads us to conclude that the Pre-Submission version of the Plan is not positively prepared.
- 4.15 At Paragraph 4.2.11 of the Pre-Submission version of the Plan, the Council states that its proposed buffer of circa 400 dwellings could "help fulfil a small proportion of Leicester City's declared unmet need", as well as off-setting any under-delivery or delay on its own allocated sites (see below for further commentary on Leicester's unmet need). In our view, this is unreasonable because:-
- a) for the reasons we have explained, the Council's buffer is, in our view, only approximately 70 dwellings rather than 400;
  - b) it potentially pre-judges the outcomes of any work to determine how the shortfall arising from Leicester City is going to be distributed elsewhere within the housing market area; and
  - c) we don't believe that any 'buffer' should perform a dual function – it is in our view necessary for the Council to build in sufficient flexibility in relation to its own housing needs, and then make, separately, an allowance for meeting its share of the shortfall in Leicester City, once there is clarity about the number of dwellings from Leicester which may have to be accommodated in Oadby and Wigston.

#### **Representation**

- 4.16 **Table 1, Paragraphs 4.2.4 to 4.2.12 and Policy 2 fail to identify any flexibility in the delivery of housing to respond to rapid change. There are therefore inconsistent with the NPPF and are not justified, because the strategy is not appropriate. It is also apparent that the contents of Table 1 are incorrect, so that the Council**



**does not actually have sufficient supply to meet its needs up to 2031, and so the Plan is, as a consequence, not positively prepared. These matters lead to a conclusion that the Plan is unsound.**

- 4.17 We have commented in Section 3 on the Council's proposed plan period, which extends only until 2031. We have also noted that the emerging Strategic Growth Plan, and the Joint Statement of Co-Operation prepared by the Leicestershire authorities, both state that Oadby and Wigston Borough Council has "declared" that it cannot meet its objectively-assessed need up to 2036. In our view, this only serves to highlight the fragility of the Council's approach to housing delivery in the emerging Plan; if it believes it cannot meet its objectively-assessed needs by 2036, which only exceeds the need up to 2031 by 915 dwellings, then this points to a conclusion that there is very limited flexibility for other sites to come forward if the proposed allocations are delayed, or under-deliver.
- 4.18 The inflexibility of the Plan in its current form is highlighted further still in the light of ongoing issues around the ability of Leicester City Council to meet its own objectively-assessed housing needs. The HEDNA concluded that Leicester's housing need is 1,692 dwellings per annum (in a plan period to 2031) or 1,668 dwellings per annum if a plan period were extended to 2036. These equate to totals of 33,840 dwellings up to 2031 and 41,700 dwellings up to 2036.
- 4.19 In a Joint Statement of Co-Operation prepared by the Leicestershire authorities, 'theoretical housing capacities' for each local authority were set out, alongside the HEDNA need figures. For Leicester City Council, the theoretical capacity given is 26,230. As such, it appears that there is a potential for an unmet need of 7,610 dwellings in Leicester to arise at 2031, rising to 15,470 by 2036.
- 4.20 Oadby and Wigston Borough Council has stated, at Paragraph 4.2.5 of the Pre-Submission version of the Plan, that "it is aware that the City of Leicester has declared an unmet need and will need help from other HMA partners to deliver its unmet need up to 2031". In other words, the Council has expressly recognised that it will likely have to accommodate some of the unmet need from its neighbouring authority. However, as we have explained above, the Council has only proposed allocations sufficient to meet its own objectively-assessed needs, and no more. There is no allowance made in proposed Policy 2, or Table 1, for potential development required to contribute to Leicester City Council's needs.
- 4.21 The Council does say, though, at Paragraphs 1.5.6 and 1.5.7, that it will undertake a review of the Plan where one of three triggers is engaged, or, and in any event, no later than five years from the date of the adoption of the Plan. The first trigger for a review of the Plan is where annual monitoring shows that the Plan is not delivering against its targets.
- 4.22 The third trigger is where components of the Strategic Growth Plan are delivered earlier than expected.
- 4.23 The second trigger is where,

*"a local authority within the Leicester and Leicestershire HMA has an evidenced unmet need, which cannot be met by the other local authorities within the Leicester and Leicestershire HMA and / or within the flexibility allowed within this Plan. In this instance, a review will begin with the preparation of evidence to establish whether the unmet need can be met within the Borough".*





- 4.24 We are concerned that, in the second trigger, the Council is attempting to require that a review is only commenced where: a) an authority cannot meet its objectively-assessed need; and b) none of the other authorities in the HMA are able to accommodate that need. In other words, it appears that the Council might be seeking to establish a sequential approach whereby it will be necessary for other authorities in the HMA to demonstrate that they cannot accommodate another authority's unmet need, before the Council begins a review of the Plan. In our view, this is inappropriate; the NPPF requires authorities to work collaboratively on such cross-boundary issues. Therefore, it is inconsistent with national policy for the Council to suggest that the onus should be on other authorities in the HMA to meet any shortfalls elsewhere before it considers undertaking a review of the Plan.
- 4.25 On a more general point, and without prejudice to the above, we consider that it is a weakness of the Plan that the undertaking to carry out a review is not enshrined into a policy. We are of the view that the obligation to undertake a review should be built into a policy, if the Plan is to be progressed in advance of clarity on how the shortfall in Leicester City is going to be addressed.
- 4.26 In relation to the third trigger, we also note that the Strategic Growth Plan contemplates significant potential for growth as a spin-off from an upgraded A46 corridor. The Growth Plan states that the 'expressways' which form part of those infrastructure improvements will be delivered by "the early 2030s". Figure 5 of the Strategic Growth Plan shows that the 'growth corridor' which will be created by enhanced infrastructure, and which might accommodate "about 40,000 new homes and additional new jobs" washes over much of Oadby and Wigston.
- 4.27 In other words, it is apparent that, in the early 2030s, the Borough will be located within an area of strategic growth. Whilst the Pre-Submission Local Plan notes the intention for infrastructure improvements, it is of the view that there is "insufficient certainty" around the delivery of infrastructure for the growth corridor to influence the spatial strategy in the Plan. However, the Council proposes that one of its triggers for undertaking a review will be delivery of the new infrastructure in the growth corridor "at a faster rate than is currently anticipated".
- 4.28 Because of the potentially significant implications of the growth corridor being delivered earlier than expected, we believe that this further emphasises the need for the review mechanism to be enshrined into policy.

#### **Representation**

- 4.29 ***As a consequence of these matters, we reiterate that Paragraphs 4.2.5 and 4.2.6, and Policy 2, are not consistent with national policy because they fail to demonstrate flexibility to respond to rapid change. There are also not positively prepared because they do not seek to meet unmet requirements arising elsewhere in the housing market area. They are not justified because they do not propose an appropriate strategy. They are also not effective because they are not based on effective working on cross-boundary strategic priorities.***
- 4.30 ***Furthermore, Paragraphs 1.5.6 and 1.5.7 should form a policy, rather than a monitoring trigger being left to supporting text. Until such a change is made, we conclude that the Plan is not positively prepared.***
- 4.31 In order to achieve a much greater degree of flexibility in the Plan, we conclude that the Council must allocate additional sites to deliver new residential development. With that in mind, the land which Jelson is



promoting in conjunction with Davidsons is deliverable and has the potential to provide up to an additional 600 dwellings up to 2031. Alternatively, if the Inspector concludes that the Council should adopt a plan period up to 2036, and should look to meet its objectively-assessed need (155 dwellings per annum / 3,875 dwellings in total) up to that point in time, then the land promoted by Jelson could make a significant contribution towards meeting that need.

- 4.32 We have explained in Section 2 that Golby and Luck have prepared a Landscape Framework plan, which demonstrates how the site could be delivered without adversely affecting the separation between Oadby and Wigston, and with appropriate mitigation to retain a sensitive relationship between the extended urban edge and the countryside which lies beyond. In Section 6, we go on to further explain the merits of the site as a location for residential development.

#### **Representation**

- 4.33 ***In order to remedy the matters we have identified above in relation to the soundness of the Plan, we conclude that the Council must revisit its spatial strategy and ensure that it has allocated sufficient sites to provide flexibility in its approach to the delivery of housing. Accordingly, we conclude that the land which is being promoted by Jelson in conjunction with Davidsons provides an opportunity to allocate additional land for this purpose.***



## 5. Green Wedges

- 5.1 On Pages 23 to 25 of the Pre-Submission document, the Council sets out a number of proposed 'Spatial Objectives'. The thirteenth Spatial Objective relates to Green Wedges and land in the Countryside. It states that the Council will seek to "protect" and "enhance" Green Wedges by "limiting development to appropriate uses only, as well as safeguarding... other open spaces for sport and other forms of recreation".
- 5.2 Proposed Policy 42 states that the Council will "seek to retain" land in Green Wedges "as open and undeveloped", and that only development associated with five particular types of uses will be permitted within designated areas.
- 5.3 The Council has proposed some release of land from the Green Wedge, to enable the allocation of the Stoughton Grange Direction for Growth. The Council also proposes the formation of a new area of Green Wedge between Oadby and Wigston, and which wraps around the southern edge of the proposed Cottage Farm Direction for Growth. A small part of the proposed new Green Wedge falls within the proposed development area (hatched red on the plan at Appendix II) which is being promoted by Jelson, in conjunction with Davidsons.
- 5.4 The Council states that its approach to Green Wedge policy is justified by a Green Wedge review, which forms part of the evidence base that underpins the draft Local Plan. It appears that the Green Wedge review has been carried out by the Council itself, rather than by technical consultants on the Council's behalf.
- 5.5 In short, the Review breaks each of the Green Wedges into 'sub-areas' and briefly describes the characteristics of each, with reference to their land use, boundaries, topography, rights of way, ecology and development pressure. It then goes on to assess the performance of each of the Green Wedges against the four criteria for Green Wedges (as set out in proposed Policy 42).
- 5.6 In relation to the Oadby and Wigston Green Wedge (in which the land which Jelson is promoting is located (in part)), the Review concludes that the narrowest point between the urban edges of Oadby and Wigston is 145 metres. It also states that the southern part of the wedge (again, in which the land which Jelson is promoting is located) "is important as it reduces the likelihood of 'wrap' round built development that would essentially join the two settlements".
- 5.7 As we have explained in earlier sections, the separation distance between the land which Jelson is promoting, and the urban edge of Oadby, is more than double 145 metres, and so well in excess of the existing narrowest point. Moreover, the Landscape Framework Plan prepared by Golby and Luck (Appendix III) shows how development on the site could be arranged without materially reducing the separation between Oadby and Wigston, or leading to any perception of coalescence between the two.
- 5.8 In our view, this exposes a weakness in the evidence base prepared by the Council. Although the Review purports to examine the performance of the Green Wedge across specific sub-areas, it fails, at a micro level, to test the impacts on the performance of the Green Wedge if development was to be brought forward within it. In our view, the Landscape Framework Plan prepared by Golby and Luck demonstrates that part of the Green Wedge could accommodate development, without harming the purposes of the designation.



- 5.9 Having undertaken its analysis, the Council goes on to set out three recommendations in relation to the Oadby and Wigston Green Wedge. The first recommendation is that "*the boundaries are not amended to include or exclude any areas of the current green wedge [sic]*". Although the wording perhaps lacks precision, our reading of this recommendation is that the boundaries of the Green Wedge should be preserved as they are. However, the second recommendation is to include land at Lucas Marsh Nature Reserve in the wedge. The third recommendation is that land to the south of the Cottage Farm Direction for Growth should be brought into the Green Wedge.
- 5.10 On the face of it, recommendations two and three are in conflict with recommendation one, which states that the boundaries of the Green Wedge should not be amended. Notwithstanding that we disagree with a conclusion that there should be no amendments to the boundaries of the Green Wedge, the apparent conflict between the recommendations of the Review further highlight, in our view, that it does not provide robust evidence for the purpose of plan-making.
- 5.11 Because the Review fails to undertake any detailed analysis of the Green Wedge at a micro-level, it fails, in our view, to fully justify the proposal to extend to the Green Wedge to the south of Cottage Farm, or to justify the boundaries of that extension. The Review states that an extension to the wedge is needed to "*prevent coalescence*" of the settlements following the development of Cottage Farm, and similar wording appears at Paragraph 7.5.11 of the Pre-Submission document when referring to the extension of the Green Wedge. However, neither the Review, nor the Plan, explain how the extension to the Green Wedge would contribute to the other purposes of the designated area, or why the boundary of that extension needs to include part of the land which Jelson is promoting in order to achieve the stated objective of preventing coalescence. Again, this leads us to conclude that the evidence base prepared by the Council is not robust.
- 5.12 Finally, the Green Wedge Review also addresses the Oadby, Thurnby and Stoughton Green Wedge, in which the Stoughton Grange Direction for Growth site is located. The Review carries out the same analysis across a number of sub-areas. It concludes that the Green Wedge satisfies all of the criteria for including land within the designated area. Again, the Council makes three recommendations, the first of which is to leave the boundaries of the wedge as they are. The second recommendation is to remove a small amount of existing built development from the wedge. The third recommendation is to release a significant amount of land from the wedge to facilitate delivery of the Stoughton Grange Direction for Growth. The only reason given for that recommendation is that it "*would not allow for settlement coalescence*".
- 5.13 As we have explained above, it is not appropriate for the Council to make recommendations which are, on the face of it, in conflict with each other, particularly where they significantly vary in outcome. More significantly, however, is that the Review fails to provide any analysis to justify the release of a significant swathe of the wedge to facilitate development at Stoughton Grange. For the same reason that we concluded that the analysis is not robust in relation to the Oadby and Wigston Green Wedge, we reach the same view on the Oadby, Thurnby and Stoughton Green Wedge; it is unreasonable to justify a significant change to the Green Wedge in a single sentence. This reaffirms, in our view, that the Green Wedge Review does not provide robust evidence for the retention, extension, or removal of land in the Green Wedge that is proposed by the Council.
- 5.14 Instead it would appear that the Green Wedge Review does nothing more than reflect the Council's pre-determined allocation strategy rather than in any way informing the location of planned growth.





- 5.15 Consequently, we conclude that the Proposals Map (insofar as it relates to amended Green Wedge boundaries), and therefore the Plan, are unsound, because they are not based on robust evidence base.
- 5.16 This conclusion is significant in the context of our analysis in Section 4 in relation to housing need and supply. Given that we think the Council has failed to demonstrate any flexibility in relation to the delivery of housing, we conclude that it is imperative that it undertakes, without delay, a robust, comprehensive analysis of its Green Wedges in order to fully test the potential for releases of land from the wedges and their allocation so that the Council is able to demonstrate a flexible approach to housing delivery over the plan period.

#### **Representation**

- 5.17 ***As a consequence of all of the above, we conclude that Policies 18, 21 (insofar as they relate to redrawing Green Wedge boundaries) and 42 of the Plan, and their supporting text, are not justified, because they are not based on proportionate evidence.***
- 5.18 ***We conclude that the Council must revise its evidence base in relation to the Green Wedge and undertake a thorough, robust analysis of the wedges at a detailed, micro level, in order to fully determine the extent to which elements of the designated areas could be released and allocated for new housing.***



## 6. Merits of Development

- 6.1 We have set out in Sections 3, 4 and 5 our representations on the soundness of the Pre-Submission version of the Plan in respect of a number of issues. In this Section, we summarise the planning merits of the land which Jelson is promoting in conjunction with Davidsons, and then review the Sustainability Appraisal which has been prepared as part of the evidence base for the Plan.
- 6.2 We have explained in Section 2 that the site is located in Flood Zone 1 and that there are no statutorily listed buildings, or other designated heritage assets, within the site or in close proximity to it. Furthermore, we have explained that the site immediately adjoins the existing urban area of Wigston. There are existing bus stops on Meadow Way and Guthlaxton Way, served by routes that provide public transport links into Wigston town centre (the principal centre of the Borough) and also Leicester City Centre. In other words, there is an existing public transport system in place which can facilitate trips to shops, services and employment opportunities by means other than the private car.
- 6.3 Therefore, and as a matter of principle, we conclude that the site occupies a sustainable location adjacent to the existing urban area.
- 6.4 As we have noted elsewhere, Golby and Luck have prepared a Landscape Framework Plan, which demonstrates how development parcels on the site might be arranged in order to prevent any coalescence between Oadby and Wigston and so avoid any conflict with the purposes of the Green Wedge. That plan also shows that development could be brought forward alongside new landscaping, and the enhancement of existing features, in order to provide an appropriate form of development on the eastern edge of Wigston that would extend the urban area in a logical fashion, whilst continuing to provide an appropriate green 'edge' between built development and the countryside to the east.
- 6.5 The Council has commissioned a Sustainability Appraisal, which has been prepared by Land Use Consultants to support the Pre-Submission version of the Plan. The Appraisal carries out assessments of both those sites which are proposed for allocation in the Plan, and those which have been submitted earlier in the plan-making process but which the Council has decided not to propose for allocation (and which includes the land which Jelson is promoting in conjunction with Davidsons).
- 6.6 Chapter 5, supported by Appendix 5, of the Appraisal sets out the scoring against prescribed sustainability objectives for all residential development options which have been submitted through the plan-making process, including those sites which have been allocated. The land promoted by Jelson and Davidsons (Site OWBC 43) scores very positively in relation to housing (objective 1), health (objective 2), community facilities (objective 3), education (objective 16), employment opportunities (objective 17) and public transport (objective 22). In our view, this reflects that there are a number of factors which point to a conclusion that the site occupies a sustainable location for residential development.
- 6.7 The Appraisal also concludes that the site is likely to have a significant negative effect on the historic environment, biodiversity and landscape. The more detailed assessment of the site in Appendix 5 states that the negative effect is likely to arise from two areas of archaeological potential within the site. However, the Appraisal notes that "the negative effect is uncertain given that it may be possible to mitigate negative



impacts on areas which are likely to contain buried archaeology". We agree with this view, and so it follows that it is feasible that the impacts could be reduced from the 'significant negative' set out in the Appraisal.

- 6.8 Again the significant negative score for biodiversity arises, it appears, from a candidate Local Wildlife Site being located within the site. However, the Appraisal also notes that a scheme could be designed to mitigate any impacts on habitats. We agree, and conclude that there is potential for the impacts on this objective to be less than the significant negative identified by the Council's consultants.
- 6.9 Finally, the significant negative score in relation to landscape as a consequence of the site comprising greenfield land. Again, the Council's consultants note that specific impacts will be known once a scheme for the site has been prepared. Whilst we agree, we do refer back to the Golby and Luck Landscape Framework Plan, which shows potential for comprehensive new landscaping, and the enhancement of existing features, in order to soften the edge of the development and respect its sensitive relationship with the countryside to the east. Therefore, while development on the site will have an impact on the landscape, we conclude that this could be mitigated, such that the score ascribed to the site by the Council's consultants could be reduced as a consequence.
- 6.10 It is worth also noting how Site OWBC 43 scores against those sites which have been proposed for allocation in the Plan. When compared to Cottage Farm Direction for Growth (OWBC 44), we note that Jelson's site is likely to have a significant positive effect in relation to community facilities (objective 3) whereas Cottage Farm is expected to have only a minor positive effect. In relation to landscaping, OWBC 43 is said to have a significant negative impact (although as we have said above, with reference to the Golby and Luck plan this could be reduced), whereas Cottage Farm is said to have a mix of significant negative and minor positive impacts. The detailed analysis in Appendix 5 of the Appraisal states that the 'minor positive' impact of the Cottage Farm site will arise from the provision of open space on the site. Given that Golby and Luck have shown open space and landscaping on the Landscape Framework Plan for OWBC 43, we conclude that both sites should at least score equally in relation to this objective, rather than Cottage Farm scoring better than Jelson's site.
- 6.11 That being so, we note that the two sites score equally in all other regards. In our view, this means that OWBC 43 scores, at least, equally, if not better than OWBC 44 overall.
- 6.12 In relation to the Wigston Direction for Growth Phase 2 site (OWBC 17a), we note that this scores worse in relation to health than OWBC 43. OWBC 17a is projected to have a mix of minor positive and negative impacts on health, whereas OWBC 43 is projected to have significant positive and only minor negative impacts. Furthermore, whilst both sites are projected to have significant positive impacts on community facilities, there is a question mark attributed to Site OWBC 17a, which indicated uncertainty about the potential for those impacts to be delivered.
- 6.13 Otherwise, the two sites score equally. Consequently, we conclude, based on the Sustainability Appraisal, that OWBC 43 scores better than OWBC 17a.
- 6.14 Finally, we compare the score of OWBC 43 to the Stoughton Grange Direction for Growth site (OWBC 24 and OWBC 28). OWBC 43 scores better than OWBC 24 in the following areas:-
- community facilities;



- education; and
- access.

6.15 OWBC 43 scores better than OWBC 28 in the following areas:-

- health;
- community facilities;
- education;
- employment opportunities;
- access; and
- public transport.

6.16 In a number of cases, the differences are significant. For example, OWBC 43 is projected to have significant positive impacts on community facilities, whereas OWBC 24 is projected to have only a combination of minor positive and minor negative impacts, and OWBC is projected to have a combination of minor positive and significant negative impacts. Similarly, OWBC 43 is forecast to have significant positive impacts on education, but OWBC 24 and OWBC are forecast to have only minor negative impacts. Furthermore, OWBC is projected to have minor positive impacts on employment opportunities and negligible impacts on access. OWBC 28 is projected to have significant negative impacts on both.

6.17 The only areas in which OWBC 24 and 28 score better than OWBC 43 are:-

- employment opportunities (OWBC 24 only);
- landscape
- water quality (OWBC 28 only); and
- redevelopment of brownfield land (OWBC 28 only).

6.18 Moreover, the only objective in which Stoughton Grange comprehensively scores better than OWBC 43 is the redevelopment of brownfield land, as a consequence of OWBC 28 being previously developed.

6.19 In all other areas beyond those mentioned above, the sites score equally. We therefore conclude that the OWBC 43 scores better overall than OWBC 24 and OWBC 28.

6.20 In summary, therefore, from our reading of the Sustainability Appraisal, Site OWBC 43 scores better than two of the proposed Direction for Growth allocations, and scores either equally or better with the third proposed allocation. That is before taking account of our points earlier in this Section explaining why certain scores attributed to OWBC could be improved; if they were then the outcome would be that the land promoted by Jelson would score even better than the proposed Direction for Growth allocations.

6.21 With these conclusions in mind, we note that Appendix 6 of the Sustainability Appraisal sets out the Council's reasons for allocating, or not allocating, the options it was presented with. In relation to OWBC 43, the Council states that *"the site is not located within the current extent of the Leicester Principal Urban Area and has only one likely access onto Newton Lane. The site is located within the countryside and development of such would not comprise sustainable development"*.





6.22 This conclusion is expressed despite the outcome of the Sustainability Appraisal. Furthermore, and as we have explained elsewhere in this Report, the site could also be accessed via Denbydale, which we expect could serve at least part of the site. The Council's conclusion on this point is therefore incorrect.

6.23 Most significant, though, is the Council's assertion that the location of the site in the countryside means development would not be sustainable as a matter of principle. This is an unreasonable conclusion to reach given that:

- a) the other proposed Direction for Growth sites are located in the countryside; and
- b) the Sustainability Appraisal has demonstrated that Jelson's land is more sustainable than the three proposed Direction for Growth allocations.

6.24 The reasons given by the Council in Appendix 6 of the Sustainability Appraisal for allocating certain sites are equally as unclear. In relation to Stoughton Grange, the Council's reason is given as,

*"Site is located in the Green Wedge and is to be released through the Local Plan. The Green Wedge boundary has been amended through the Local Plan process... Both OWBC 24 and OWBC 28 form the same site in the Pre-Submission Local Plan. The total number of residential units proposed is 300."*

6.25 In our view, none of that provides justification for the allocation of the site. It is simply a description of the site. This also reaffirms our conclusion in Section 5 that the Council has provided no justification for its proposed Green Wedge releases.

6.26 A similar issue arises in relation to the Cottage Farm Direction for Growth site (OWBC 44). The Council's reasoning for allocation is given as,

*"Site is located adjacent to the existing Green Wedge. The Green Wedge is to be extended and part of the proposal site will be located within the extended Green Wedge boundary. The Green Wedge boundary has been amended through the Local Plan process..."*

6.27 Again, nothing in that statement seeks to explain or justify the decision to allocate the site instead of a more sustainable option presented by Jelson's land at OWBC 43.

6.28 Accordingly, for all of these reasons, we conclude that the Plan is unsound because it fails to have regard to the Sustainability Appraisal which forms part of its evidence base and which concludes that Site OWBC 43 is more sustainable than the proposed Direction for Growth allocations. Furthermore, the Plan is unsound because the Council has failed to justify its proposed allocations with regard to the conclusions reached by its evidence base.

6.29 In order to remedy this error, we conclude that the Council should propose the allocation of Site OWBC 43 for residential development, in recognition of its sustainable location, as demonstrated in the Council's evidence base.



**Representation**

- 6.30 *We conclude that Policies 2, 18, 20 and 21 are not justified, because they do not represent the most appropriate strategy when considered against the reasonable alternatives, as demonstrated by the conclusions reached in the Council's Sustainability Appraisal.*
- 6.31 *We have already concluded elsewhere that the Council needs to revisit its spatial strategy and evidence base in relation to Green Wedges. On the basis of the above, we also conclude that the Council should review its spatial strategy, and in particular its proposed allocations, in the light of the findings of the Sustainability Appraisal, and ensure that it is setting out a strategy that reflects the conclusions of its evidence base. To this end, we suggest that Site OWBC 43 is proposed for allocation in recognition of its sustainable location for new residential development.*



## 7. Summary and Conclusions

- 7.1 GVA has been instructed by Jelson to prepare representations in respect of the Pre-Submission version of the Oadby and Wigston Local Plan.
- 7.2 This Report has set out our representations on Jelson's behalf. As we have demonstrated in the previous sections, it is our view, on behalf of our client, that the Plan, in its current form, does not comply with the tests of soundness for a significant number of reasons. Where we have identified deficiencies in the Plan, we have identified the action that we believe the Council needs to take in order to modify the Plan and overcome the issues arising.
- 7.3 As stated in Section 1, we would like to confirm that we wish to appear at the Hearing Sessions on Jelson's behalf.



# Appendix I

## Representations to the Preferred Options Consultation





Our ref: MD12/01B611937



10 January 2017

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Dear Sirs

**OADBY AND WIGSTON NEW LOCAL PLAN – PREFERRED OPTIONS CONSULTATION DOCUMENT NOVEMBER 2016  
REPRESENTATIONS ON BEHALF OF JELSON LIMITED**

GVA is instructed by Jelson Limited ('Jelson') to make representations in respect of the Oadby and Wigston New Local Plan Preferred Options Consultation Document.

OWBC is preparing the New Local Plan in order to bring up-to-date the Development Plan for the Borough. Accordingly, the New Local Plan will, when adopted, supersede the Core Strategy, adopted in 2010, and the 'saved' Oadby and Wigston Local Plan, originally adopted in 1999.

In a wider context, OWBC, in conjunction with other Leicestershire local planning authorities, is preparing a Housing and Economic Development Needs Assessment ('HEDNA'). The HEDNA study area spans the Leicestershire housing market area ('HMA'); its purpose is to provide evidence of the full objectively-assessed need ('FOAN') for new housing across the HMA and specifically within each of the constituent local authority areas. It is understood that the HEDNA report is due to be published later this month, triggering further work that will enable the Authorities to convert their OANs into requirements for plan-making purposes.

As a consequence of carrying out consultation in advance of the publication of the HEDNA, the Preferred Options document does not specify the Borough's FOAN for housing and employment development, or development targets for the forthcoming plan period. It also says nothing about the specific allocation of sites. It is evident that OWBC has, therefore, not been able to identify its 'preferred options' for future growth in the Borough. On this basis, we conclude that the publication of the Preferred Options document is premature.

This is particularly so because OWBC has sought to establish a spatial strategy in the Preferred Options document, which broadly comprises:-

- a "focus" for development in the centres of Oadby, Wigston and South Wigston;
- further development in the Principal Urban Area ('PUA') but outside the main centres;
- delivery of a single Direction for Growth ('DfG') to the south-east of Wigston; and
- allocation of greenfield sites "should there be a requirement to do so" if housing need "cannot be met through... the main centres and" the PUA.



Without clarification of the FOAN for the Borough, we believe that it is unsound for OWBC to seek to establish a spatial strategy. The proposed strategy for accommodating growth must be directly related to the scale of need. To demonstrate this, we note that OWBC expects the DfG to provide 550 houses. That development would comprise 'Phase 2' of a DfG first identified in the adopted Core Strategy. Planning permission was granted in 2016 for 450 houses in the DfG area, which will comprise 'Phase 1' of that scheme. Consequently, it appears that OWBC expects the DfG to deliver 1,000 dwellings.

However, in the absence of the finalised HEDNA and the identification of a housing requirement for the Borough, it is not possible to determine how much of the requirement for OWBC will be met on the DfG site. GVA has undertaken its own assessment of FOAN for the HMA, and this exercise has identified an FOAN for OWBC of at least 140 dwellings per annum (although this makes no specific provision for affordable housing and so the FOAN / final housing requirement should almost certainly be set at a considerably higher level than this). Applying that figure, the DfG would only deliver circa 7 years' supply of housing. Given that OWBC is proposing a plan period of 20 years, there would clearly remain a significant amount of housing to be delivered on other sites and it is unclear whether the spatial strategy proposed by OWBC would enable delivery of that housing.

It also appears that there is an inconsistency between the proposed spatial strategy and the 11 general objectives of OWBC that are set out in Section 3 of the consultation document. Objective 7 promotes "growth of the Principal Urban Area" and states that it is the intention of OWBC to "establish a number of Direction for Growth areas adjacent to the Principal Urban Area to meet the Borough's housing allocation". The predication of the proposed spatial strategy on a single DfG is therefore in conflict with Objective 7. In our view, this only serves to emphasise the prematurity of the Preferred Options consultation exercise.

In addition to housing need matters, the Preferred Options document also addresses itself to Green Wedges, and includes draft policies which seek to control development in such areas. The thrust of the proposed policies do not appear to materially differ from those in the saved Local Plan and Core Strategy. However, the Preferred Options document indicates that OWBC is relying on evidence base reports produced in 2004 and 2005 to support its emerging Green Wedge policies. This is wholly inappropriate. The Borough's Green Wedges should be reviewed effectively from scratch, in the light of current policy objectives and development requirements. In particular, the Council should review what planning purpose its Green Wedges are designed to achieve and whether it is necessary to retain them in whole or only in part for these key objectives to be satisfied. The review of Green Wedges must take account of the need to identify opportunities for new development in the most sustainable locations. .

Having regard to all of these points, we conclude that OWBC must revisit its Preferred Options once the HEDNA has been published, its conclusions in respect of FOAN have been considered and a housing requirement for the Borough has been determined. In the interests of undertaking a robust approach to plan-making, we conclude that OWBC must establish its housing target and identify its preferred sites for meeting it. Those sites should be subject to a further 'Preferred Options' consultation exercise. Only then, once comments on the preferred option sites have been received, should OWBC proceed to prepare the 'Publication' version of the New Local Plan.

With this latter point in mind, Jelson will be seeking to promote an area of land at Newton Lane, Wigston, for allocation in the New Local Plan. Enclosed with this letter is a plan indicating the broad extent of the land which Jelson wishes to be considered for allocation in the New Local Plan. The site is located in a highly sustainable location immediately adjacent to the PUA, has limited environmental value and is controlled by housebuilders who can deliver housing on the site very rapidly. Whilst it is partially within the Green Wedge, it could be developed to the extent broadly indicated on the attached plan without undermining the function of the Green Wedge. Development of these more peripheral parts of the Green Wedge can help secure the future of, and greatly improve public access to, the remainder, large tracts of which are also controlled by Jelson. This highlights the importance of a thorough review of the Green Wedge as part of the Local Plan Review.

We trust that Officers will give due consideration to the points raised in this letter. Should you wish to discuss any matters arising, please do not hesitate to contact Miles Drew of this office using the contact details above.



Yours faithfully

A handwritten signature in black ink, consisting of the letters 'GVA' in a cursive, slightly stylized font.

**GVA**  
Enc.

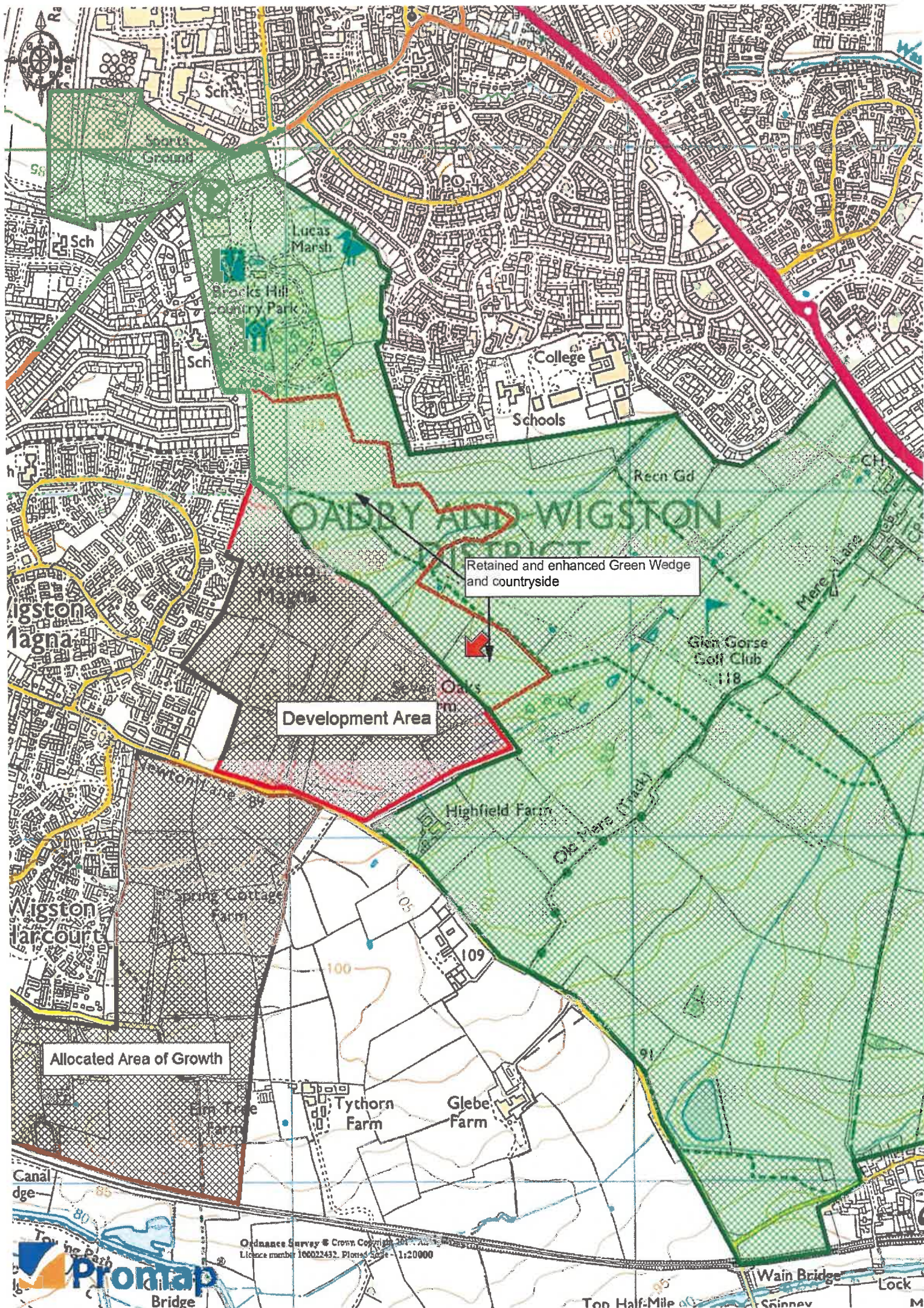


# Appendix II

## Extent of Site Being Promoted







# OADBY AND WIGSTON DISTRICT

Retained and enhanced Green Wedge and countryside

Development Area

Allocated Area of Growth

Ordnance Survey © Crown Copyright 2011  
 Licence number 100023432. Plotted Scale - 1:20000



Top Half Mile  
 Wain Bridge  
 Lock  
 M.

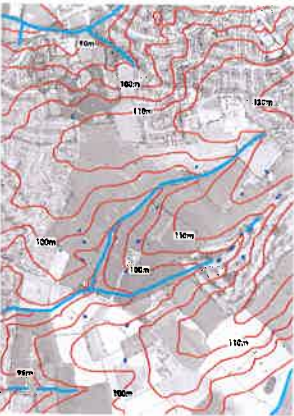


# Appendix III

## Landscape Framework Plan



Settlement



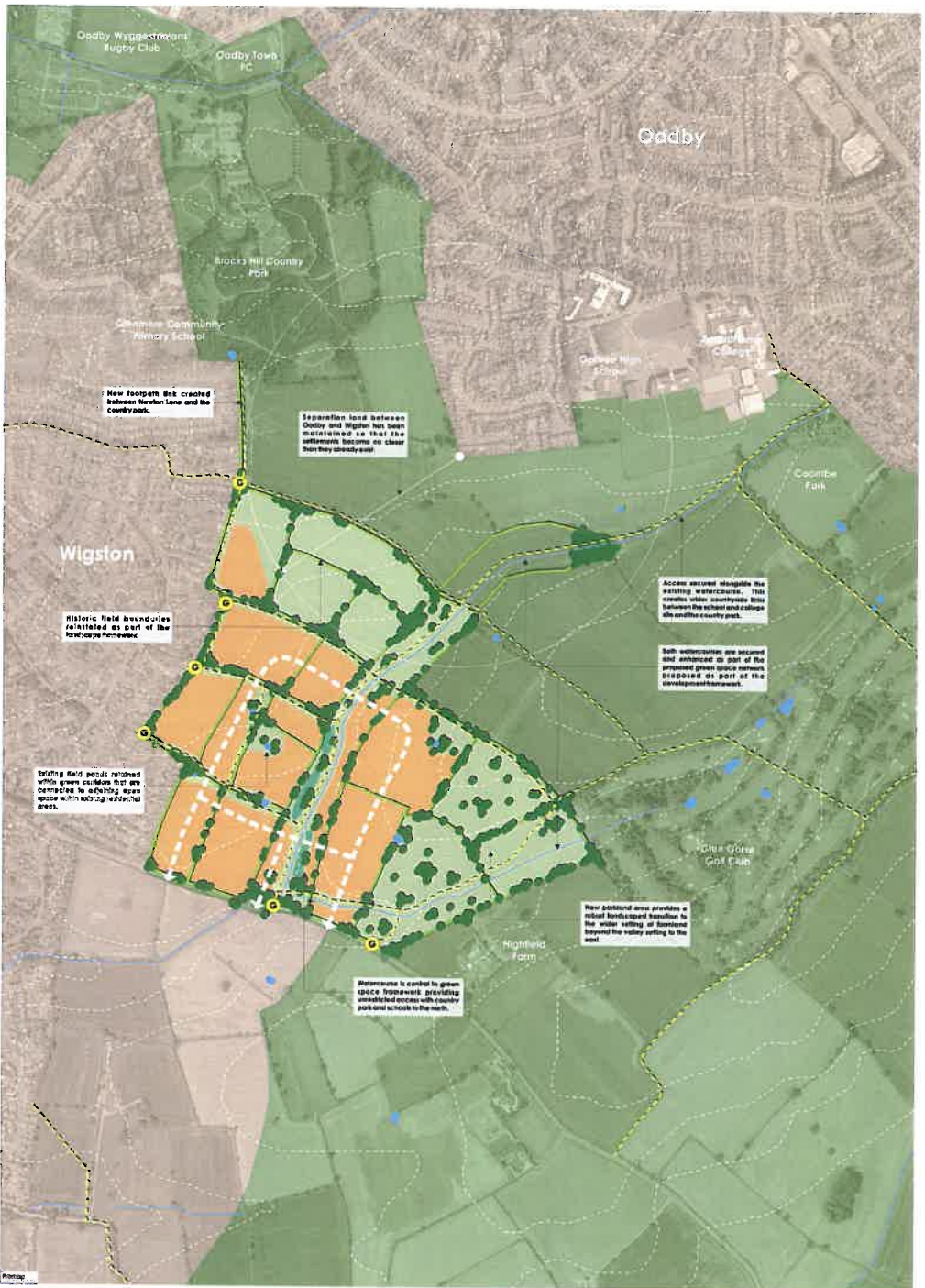
Landform & Hydrology



Access & Recreation



Analysis



**Analysis Plan Key**

- Existing settlement
- Committed direction of settlement growth
- Public access and recreation aspirations
- Green infrastructure hubs (existing/proposed)
- Existing/proposed green infrastructure connections
- Approximate extent of valley setting
- Existing separation between Oadby and Wigston

**Landscape Framework Key**

- Existing settlement/Committed direction of settlement growth
- Open countryside
- Existing contours
- Existing watercourses and ponds
- Proposed residential development coils
- Existing/proposed tree cover
- Proposed public open space network to service the new residential development
- Proposed landscape gateways in development linked with existing residential green space/colpains/highways
- Existing and potential access networks linking a number of green infrastructure assets and destinations
- Primary vehicular access from Newtown Lane
- Existing/proposed hedgerow cover that includes sections of reinstated historic hedgerows

**Land North of Newtown Lane Wigston**

**Landscape Framework Plan**

Client: Ashburton Homes Ltd (Development) Ltd

Scale: 1:5000 (A1)

Date: 05/07/2017

Project No: G6735 01

# Appendix IV

## ADC Infrastructure Report

DAVIDSONS DEVELOPMENTS LTD AND JELSON LTD

PROPOSED RESIDENTIAL DEVELOPMENT ON  
LAND NORTH OF NEWTON LANE, WIGSTON

TRANSPORT APPRAISAL

ADC Infrastructure Limited  
Western House  
Western Street  
Nottingham  
NG1 3AZ

[www.ADCinfrastructure.com](http://www.ADCinfrastructure.com)

| project number: ADC1681 |            |                                  | report reference: ADC1681 A       |
|-------------------------|------------|----------------------------------|-----------------------------------|
| version                 | date       | author                           | comments                          |
| 1                       |            | Rebecca Leconte                  | internal draft                    |
| 2                       | 01/09/2017 | Rebecca Leconte<br>David Cummins | first issue to client team        |
| 3                       | 22/09/2017 | Rebecca Leconte<br>David Cummins | Client comments addressed         |
| 4                       | 29/09/2017 | David Cummins                    | minor changes to reflect comments |

## Introduction

1. Davidsons Developments Ltd and Jelson Ltd are seeking to promote land to the north of Newton Lane, between Wigston and Oadby (**Figures 1 and 2**). It is considered that the land could provide around 1,000 residential dwellings in total, and a plan showing the indicative development area is in **Appendix A**.

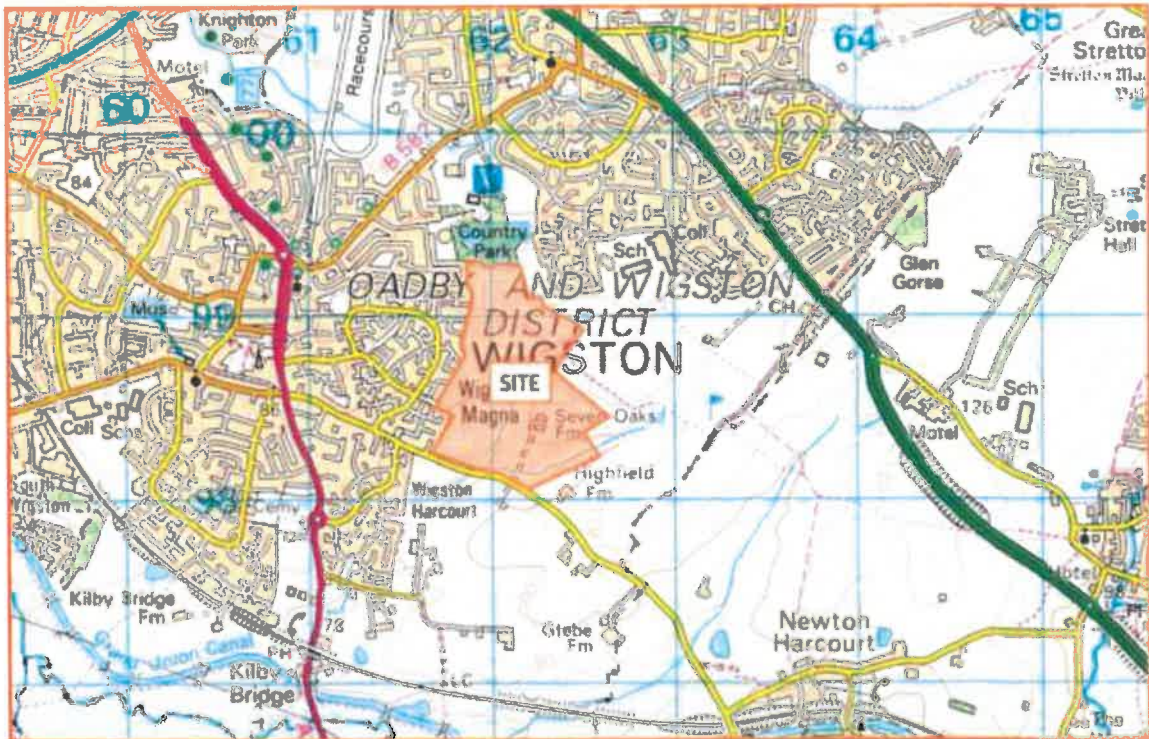


Figure 1: general site location

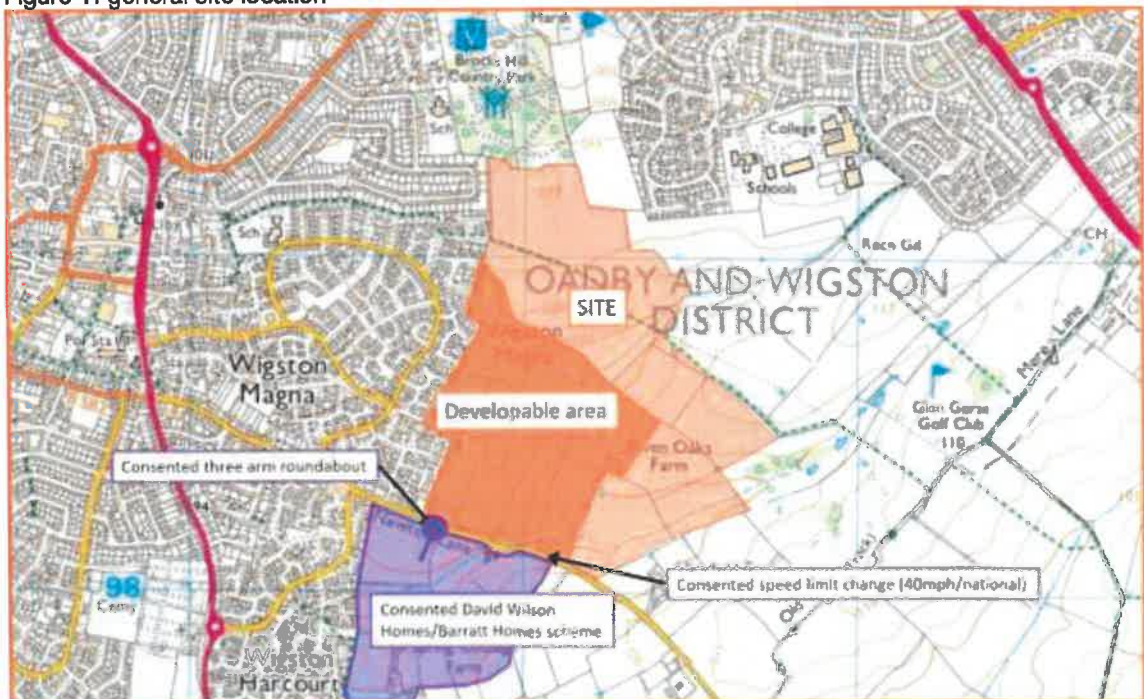


Figure 2: detailed site location

2. ADC Infrastructure Ltd were commissioned to provide a transport review of the site, and determine what infrastructure is required to ensure safe and suitable access by all modes. This Transport Appraisal report has therefore been prepared for use by Davidsons and Jelson.
3. This report examines the site location and existing opportunities for access by sustainable transport modes (walking, cycling, and bus). It presents the potential site access junction layouts to demonstrate that safe and suitable access is achievable. Finally, it forecasts the likely trip generation of 1,000 dwellings as the anticipated quantum of development, and identifies any potential highway impacts and where mitigation measures may be required.
4. This report assumes that all of the developable area shown in Appendix A is to be promoted, and presents potential options.
5. In preparing this report, the following objective from the NPPF<sup>1</sup> is taken into account:
  - *“the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure*
  - *safe and suitable access to the site can be achieved for all people, and*
  - *improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.”*

### Site location, existing use and nearby development

6. The development site is to the north of Newton Lane, in Wigston, Leicestershire. It is currently primarily fields, with gated field accesses onto Newton Lane (**Figure 3**). The land also includes Seven Oaks Farm, with access via an informal T-junction on Newton Lane.



Figure 3: aerial photograph

<sup>1</sup> Paragraph 32, National Planning Policy Framework, DCLG, March 2012



- Directly opposite the site, on the southern side of Newton Lane, David Wilson Homes (DWH) and Barratt Homes have been granted planning consent for 450 dwellings (outline planning application reference 13/00403/OUT and reserved matters application 16/00316/REM). By fronting onto Newton Lane, that development will alter the existing rural feel of Newton Lane, and will extend the start of the built-up area of Wigston Harcourt eastwards. That development will be accessed via a single three-arm roundabout on Newton Lane and the speed limit along their frontage to Newton Lane will be reduced to 40mph as part of their approved access strategy (Figures 3 and 4). This was approved by Leicestershire County Council (LCC), as the local highway authority, during the planning application consultations.



Figure 4: access roundabout to consented David Wilson Homes/Barratt Homes development

- The granting of planning consent in this location confirms that the principle of residential development on Newton Lane is acceptable, that LCC are prepared to accept up to 450 dwellings from a single point of access, and that the speed limit can be lowered to 40mph along the site frontage.

### Highway network and accident record

- Newton Lane is a single carriageway road connecting Wigston to the west of the site, with villages including Newton Harcourt and Fleckney to the south-east. Along the site frontage, Newton Lane currently measures approximately 6.5 metres in width, with wide grass verges on both sides of the carriageway (which are within the extent of the adopted highway boundary). Newton Lane is subject to the national speed limit, reducing to 30mph to the west of the site. However, as detailed above, a 40mph speed limit is to be introduced along Newton Lane as part of the consented DWH/Barratt Homes development. The consented 40mph stretch is approximately 330 metres long, with the new consented speed limit change central to the Davidsons site frontage – see Figure 4.
- The Transport Assessment for the DWH/Barratt Homes development used traffic counts from 2013 to forecast the following background traffic flows on Newton Lane by 2018. As shown, Newton Lane is relatively busy, with approximately 13 vehicles per minute, or one every 5 seconds. The traffic flows are tidal, with approximately 60% travelling westbound in the morning peak hour and returning eastbound in the evening peak hour.

|              | eastbound | westbound | two-way |
|--------------|-----------|-----------|---------|
| AM peak hour | 317       | 470       | 787     |
| PM peak hour | 422       | 318       | 740     |

11. A number of junctions on the highway network in the vicinity of the site were assessed as part of the Transport Assessment prepared to support the planning application for the DWH/Barratt Homes development (**Figure 5**).

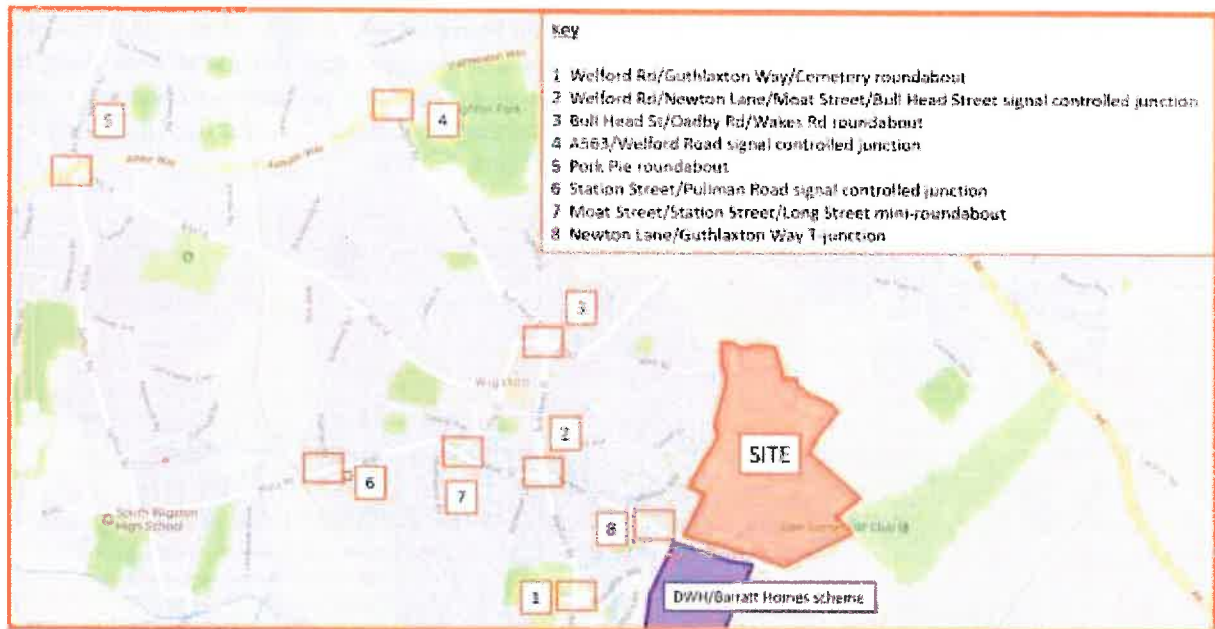


Figure 5: key junctions

12. The Transport Assessment and subsequent Update Transport Report assessed the operation of each junction in 2023 or 2024 without the development but with background traffic growth and committed developments, and in 2023 or 2024 with the committed development and the DWH/Barratt Homes development. It concluded that most of the junctions did not require any mitigation and could accommodate the increased traffic flows, but that several of the junctions will be overcapacity (taken as 85% for priority junctions and 90% for signal junctions). It therefore proposed mitigation measures at junctions 2, 3 and 7, and these are included in the planning conditions for that development. Elsewhere it concluded that whilst the junctions were overcapacity, the DWH/Barratts development traffic did not generate a severe impact that warranted mitigation. This suggests that some of the junctions in the vicinity of the site are sensitive to additional traffic, and require upgrading (particularly junctions 1 and 6). The need for Davidsons/Jelson development proposal to mitigate off-site junctions will depend on the whether the additional development traffic has a severe impact on the operation of the junction. This would need to be established with junction modelling.
13. The Crashmap database shows that there have been five slight accidents on Newton Lane along the site frontage in the five year period between 2012 and 2016. Four of these occurred at the 'S' bend along the Jelson site frontage, despite the bends being marked by road signs, slow markings and chevrons (**Figure 6**). Two of the accidents occurred in 2012 and two occurred in 2014, and all four are assumed to be due to driver error and excessive speeds. The provisions of the development proposal, including the lower speed limit, the new access junctions, and alterations to the S bend, would help mitigate this accident problem.

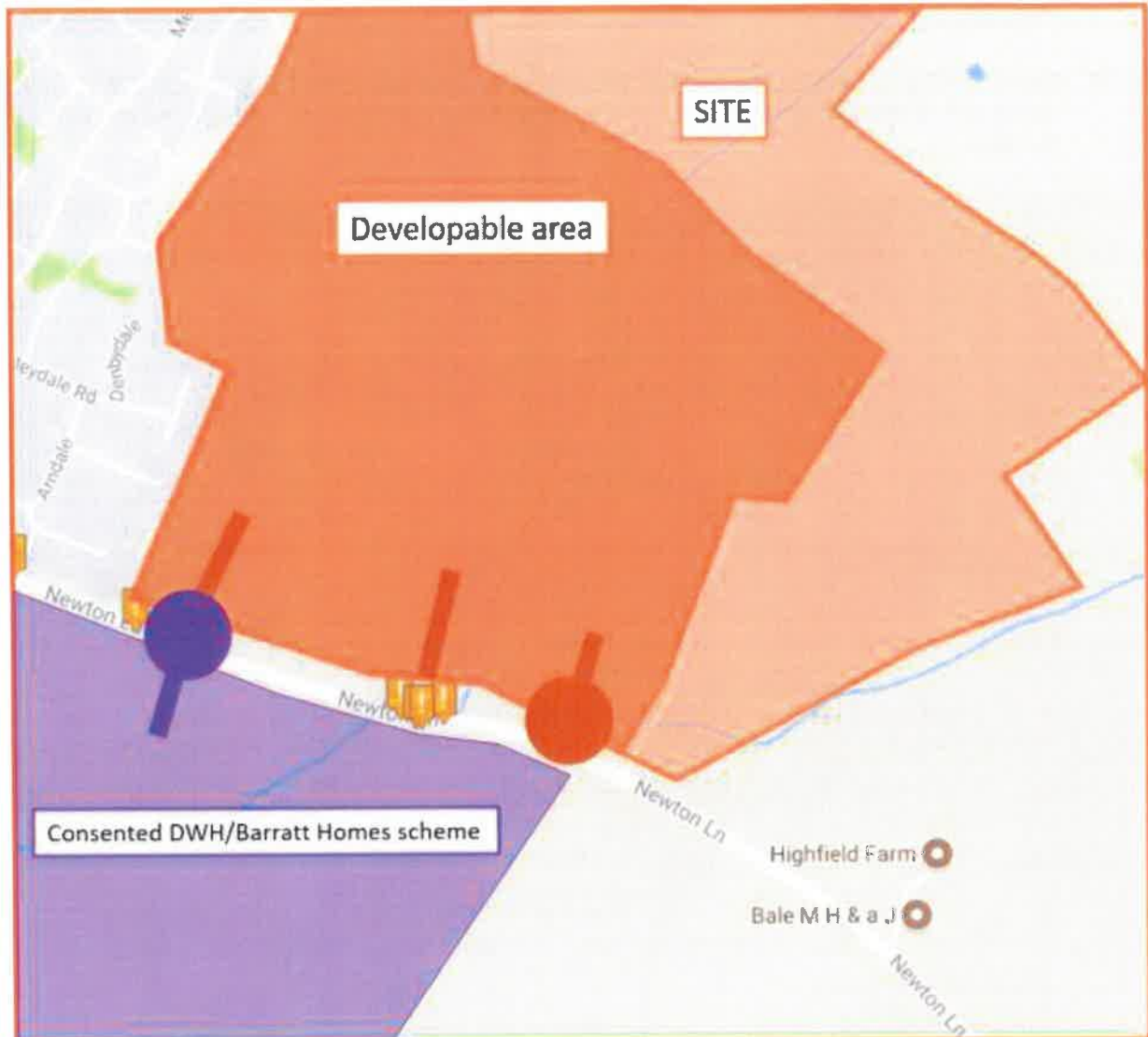


Figure 6: accident record

### Opportunities for sustainable travel

14. Most of Wigston and Oadby and the associated facilities are within the acceptable 2km walking distance<sup>2</sup> of the site (**Figure 7**). This includes employment areas, schools, health and retail facilities.

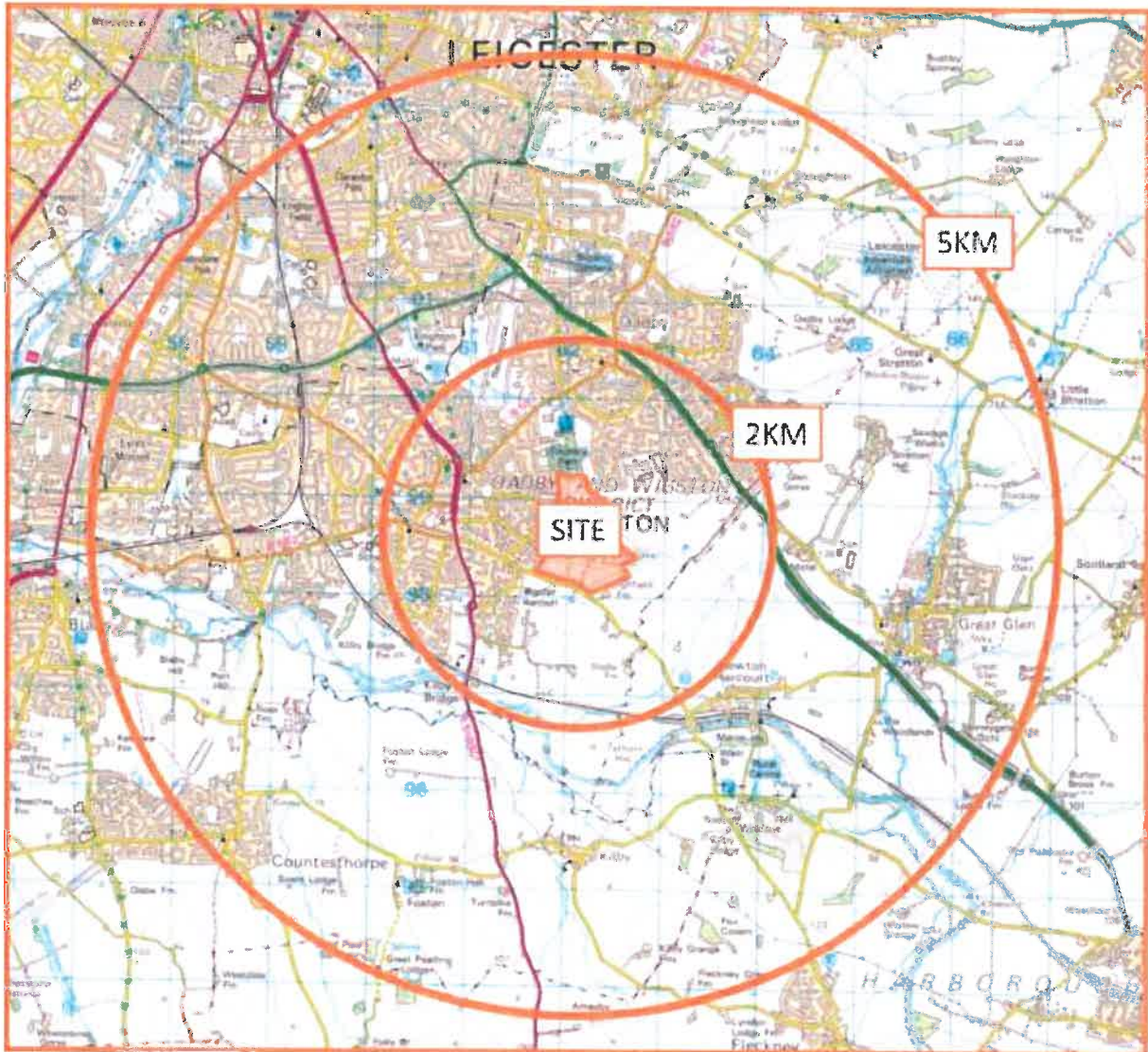


Figure 7: pedestrian and cycle catchment areas

15. There are opportunities for the development to provide pedestrian connections to Rosedale Road, Bransdale Road, Nidderdale Road, Westerdale Road, and Denbydale Road to the west of the site (**Figure 8**). There are also opportunities for a footway to be provided on Newton Lane to connect to the existing and consented DWH/Barratts infrastructure further west.
16. A public footpath also runs through the site, and connects to Tendring Drive, providing a convenient shortcut to the Meadow Community Primary School and the Glenmere Community Primary School to the west of the site (**Figure 8**). There are opportunities to improve this as part of the development proposals, with lighting and surfacing.

<sup>2</sup> Guidelines for Providing for Journeys on Foot, Institution of Highways and Transportation, 2000



Figure 8: pedestrian connections

17. Cyclists are typically prepared to cycle up to 5km for non-leisure journeys, such as those to school or work. The 5km cycle catchment (**Figure 7**) includes all of Oadby, Wigston and southern parts of Leicester. The existing cycle infrastructure in the vicinity of the site (**Figure 9**) will be improved with the provision of the consented off-road footway/cycleway along Newton Lane to Moat Street and connecting to the existing route on Welford Road to the west, which will be provided as part of the DWH/Barratt Homes residential development. There are opportunities to connect to this, and provide a footway/cycleway along the site frontage and into the site as part of the development proposals.

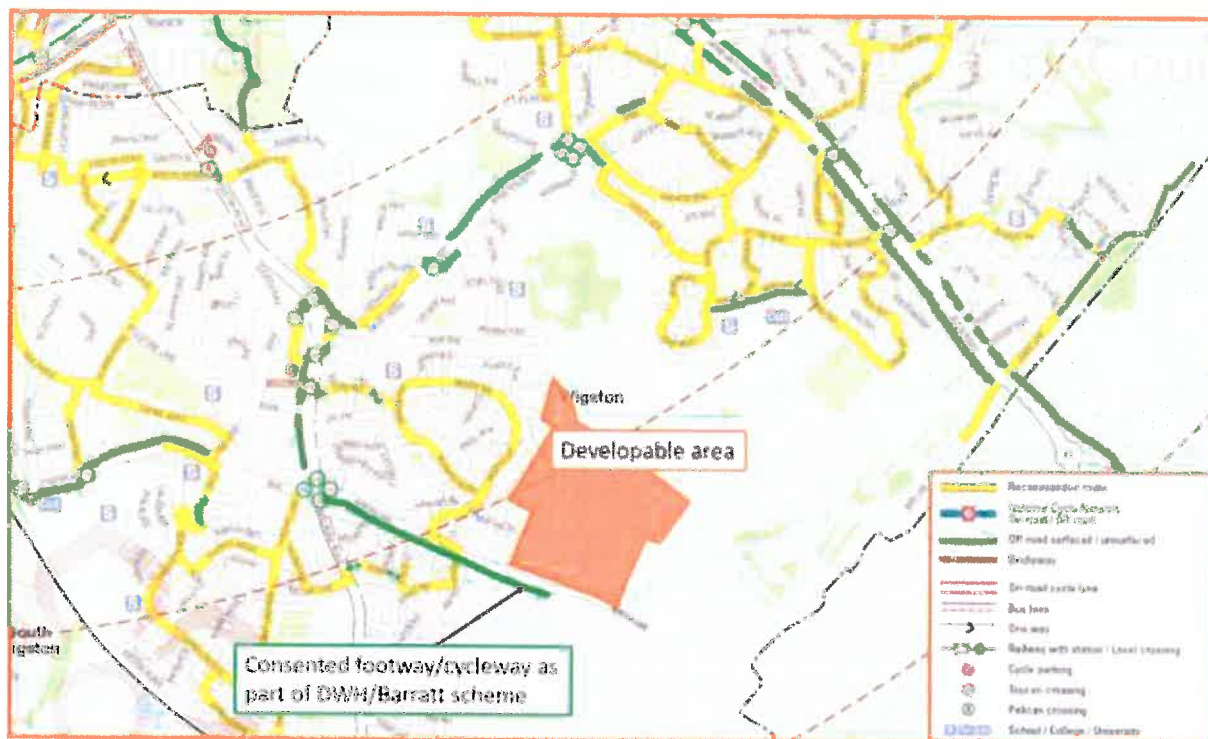


Figure 9: cycle infrastructure

18. The existing bus stops closest to the site are on Meadow Way to the west of the site. The bus stops comprise a flag and pole with raised kerbs, and provide access to Arriva Midlands daytime Service 49, and evening Services 47A and 48A (**Figure 10**).
19. Service 49 currently runs between Leicester and Wigston Magna every 15 minutes, and extends to Wigston Harcourt, Kilby and Fleckney every 30 minutes from Monday to Friday, and every 20 minutes on Saturdays.
20. In the evenings, Services 47A and 48A run along Meadow Way between Leicester and South Wigston every 30 minutes. Service 47A runs anti-clockwise (northbound) along Meadow Way, whilst Service 48A runs clockwise (southbound).
21. There are therefore two bus services per hour along Meadow Way during the day-time, and four per hour in the evenings. However, much of the development would be beyond the recommended 400-800 metres walking distance of these bus stops, and a bus service would therefore need to be extended through the site in a loop arrangement. This could be achieved subject to the suitable design of the development layout, and discussions with Arriva.

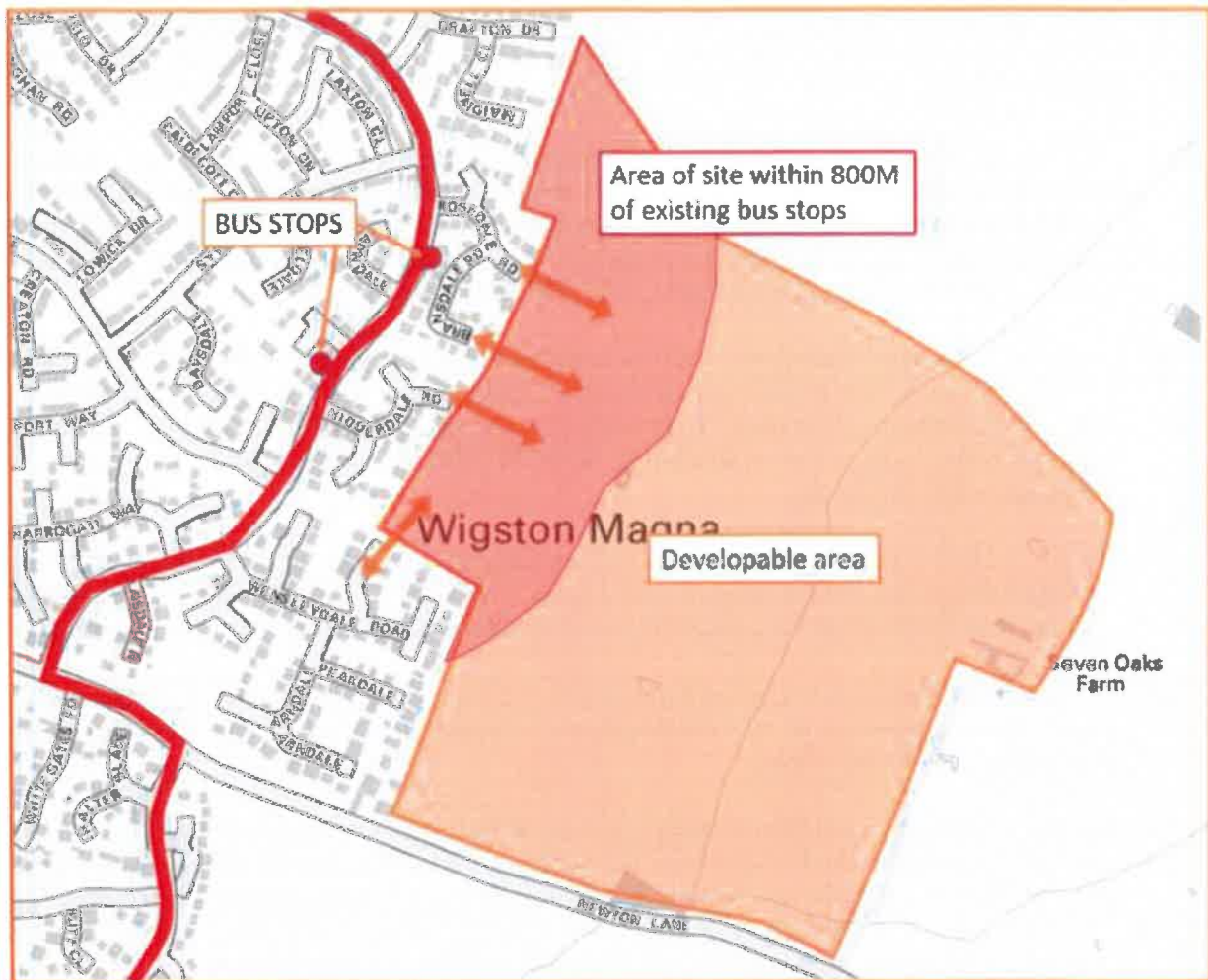


Figure 10: bus route and stop

22. Overall, the development site is in a sustainable location, accessible by all modes of transport, and close to facilities and amenities of all types. Improvement measures would be required, but are achievable, to further facilitate sustainable travel.

### Development proposals

23. Taking into account the size of the available land and the developable areas, it is envisaged that the site could provide around 1,000 dwellings. An illustrative layout showing the developable areas is in **Appendix A**.
24. The car parking provision would need to accord with the 6Cs Design Guide to ensure sufficient supply, and include a mix of driveway spaces and garages. The layout would need to be designed to adoptable standard and have adequate provisions for servicing, refuse, and emergency services.

### Vehicular access

25. Table DG1 of the 6C's Design Guide states that a "major residential access road" can serve 1,000 dwellings, provided that the carriageway width is 6.75m, and that there are at least two points of access to the highway network. No more than 400 dwellings can be served from a single point of access (albeit the DWH/Barratt Homes scheme agreed 450 from a single access).

26. Table DG1 of the 6Cs Design Guide also states that a lower classification 5.5m wide “residential access road” can serve a total of 400 dwellings, with no more than 150 dwellings from a single point of access.
27. With this context, the development site could be accessed via a new fourth arm on the roundabout that was consented as part of the DWH/Barratt Homes scheme, as shown in **Drawing ADC1681/001 P2**. The fourth arm can be achieved in accordance with design standards and would be able to accommodate the swept path of the largest vehicles (e.g. refuse vehicles and buses). Alone, this access could serve up to 400 dwellings.
28. In addition, the development site could be accessed via a new three-arm roundabout on Newton Lane further east. The roundabout layout would need to replicate the consented DWH/Barratt Homes roundabout further west. The roundabout can be designed in accordance with relevant design standards, as shown in **Drawings ADC1681/001 P2**. Again, this junction alone could serve up to 400 dwellings.
29. To serve 1000 dwellings, the two roundabouts should be connected via an internal loop road, and the carriageway should measure 6.75 metres. This way, the full development can be served, and the road width would be suitable to accommodate a bus service through the development.
30. If the two accesses were not linked, it would restrict the number of dwellings that can be accessed (each can only serve up to 400 dwellings), and it would restrict future bus access, potentially making the site unsustainable.
31. As part of the new roundabout design, the consented 40mph speed limit would need to be extended 120 metres further east from the consented speed change location, to coincide with the new start of the built development and to ensure that the required forward visibility of 120 metres to the roundabout is achievable. There should be no issues with this given that LCC agreed to the 40mph speed limit as part of the DWH/Barratt Homes scheme.
32. The location of the new three-arm roundabout is dictated by the developable area within the site frontage of the eastern portion of the site, and by the horizontal and vertical alignment of Newton Lane along the site frontage. The roundabout is located central to the developable area within the eastern area, and the location has been designed to ensure that the required 120 metres forward visibility (for the 40mph speed limit) to the roundabout is achievable through the S bend to the west. The roundabout can be designed solely within Davidsons land and the extent of the adopted highway boundary, but the proposed 3m footway/cycleway on the northern side of the carriageway would require Jelson land.
33. In addition to the two roundabouts on Newton Lane (or instead of the fourth arm on the committed DWH/Barratt Homes roundabout), a priority-controlled T-junction with ghost island right turn lane could be provided along the Jelson land site frontage, as shown in **Drawing ADC1681/001 P2 and ADC1681/002 P2**. The junction can be designed in accordance with the requirements of DMRB TD42/95, and achieve the required 2.4x54 metres visibility splays. This junction can be achieved solely within the Jelson land and the extent of the adopted highway. Again, an internal loop road would need to be provided to connect this T-junction to the roundabout(s), to serve the full development and to facilitate bus access.
34. The proposed T-junction would need to be located centrally between the two roundabouts, and along the western part of Jelsons site frontage. It could be located slightly further east, but has been designed to avoid the watercourse and limit the impact on the existing trees. The required road widening to accommodate the right turn lane would straighten the existing S bend, and no further straightening should be required. This should help mitigate the existing accident problem on the S bend.



35. Furthermore, the presence of the new roundabout and the new T-junction, together with frontage development, would help act as a speed reduction feature to enforce the 40mph speed limit. This would further help to mitigate the existing accident problem on the S bend along the site frontage.
36. Additional speed control measures could also be provided along the Newton Lane carriageway between the proposed roundabout and the consented roundabout further west. For example, **Drawing ADC1681/002 P2** shows central islands at the T-junction to help facilitate pedestrian movements and to reduce vehicle speeds.
37. **Drawing ADC1681/002 SPa P2** shows that the swept path of a large refuse vehicle can be accommodated within the T-junction design. **Drawing ADC1681/002 SPb P2** shows that the swept path of an articulated vehicle (the design vehicle) can be accommodated at the roundabout. Therefore, the junctions are deliverable and would be sufficient to serve the development.
38. To assist with connectivity and deliverability (including phasing), secondary points of vehicular access into the site could also be provided via extensions to Denbydale and Rosedale Road through the residential estate to the west of the site, as shown in **Drawing ADC1681/003 P1**. These roads both measure 5.5 metres in width, and could therefore serve some additional dwellings. In accordance with the 6Cs Design Guide, 5.5m wide roads can serve up to 400 dwellings. Denbydale currently serves 7 dwellings, whilst Rosedale Road currently serves 38 dwellings, and thus there is potential to access additional dwellings from both of these roads, provided that the main point of access is via the new junctions on Newton Lane.
39. Overall, suitable accesses can be designed to the relevant standards and would be safe and suitable for the development. The two roundabouts would satisfactorily serve the development, without the T-junction. However, the T-junction could be promoted instead of the new fourth arm on the consented DWH/Barratt Homes roundabout if interest in that land is not secured.

#### Access by sustainable modes

40. To facilitate trips by sustainable modes:
  - 2m wide footways should be provided beside the internal roads.
  - pedestrian connections should be made through to the residential estate roads to the west, including Rosedale Road, Bransdale Road, Nidderdale Road and Denbydale.
  - contributions towards improvements should be made to the public footpath across the site, including surfacing and lighting as necessary.
  - a new footway/cycleway should be provided along the northern side of Newton Lane, to link to the consented provisions further west (**Drawings ADC1681/001 P2 and ADC1681/002 P2**).
  - space for cycle parking in garages and sheds should be provided within the curtilage of each dwelling.
  - a regular bus service should be diverted in a loop arrangement through the site. For example, the Service 49 could be extended so that the 15 minute frequency service runs through the site, rather than stopping at Church Nook in Wigston Magna. This would provide a wider benefit to existing residents in the eastern and southern parts of Wigston Magna and along Meadow Way where the service currently runs only at a 30-minute frequency.
  - new bus stops should be provided within the site to ensure all dwellings are within 400-800 metres walking distance. These should include the provision of shelters with seating, and raised kerbs to facilitate access subject to land availability.
41. A 3m wide footway/cycleway can be provided along the northern side of Newton Lane between the proposed roundabout and the consented roundabout, if the overall site is promoted. The

splitter island on Newton Lane to the west of the consented roundabout would then be widened to accommodate pedestrians and cyclists crossing to the consented footway/cycleway on the southern side of the carriageway, as shown in **Drawing ADC1681/001 P2**.

42. However, in the event that land at the south-western edge, directly west of Jelson's boundary, is not brought forward, there would be insufficient space to provide the footway/cycleway on the northern side of Newton Lane on the stretch west of the proposed T-junction. Therefore, directly to the west of the proposed T-junction, a crossing would need to be provided to a new footway/cycleway on the southern side of Newton Lane, which would then need to connect to the consented DWH/Barratts infrastructure further west, as shown in **Drawing ADC1681/002 P2**. The footway/cycleway cannot be continued on the northern side of the carriageway due to third party land. Nevertheless, this provision should still be acceptable to LCC.
43. With regards to the bus service, this could route in a loop arrangement through the site entering via the new fourth arm or the T-junction and exiting via the new roundabout on Newton Lane (or vice versa) (**Figure 11**). The internal loop road would need to include a 6.75m wide carriageway to accommodate the future provision of a bus service through the site.
44. Alternatively, the bus service could route from Meadow Way and into the site via Rosedale Road, before exiting onto Newton Lane and continuing the onward route (**Figure 11**). The exit on to Newton Lane could be via the roundabout or the T-junction. However, the existing Rosedale Road carriageway is 5.5 metres wide, and therefore below the minimum required 6m carriageway width. Discussions would therefore need to be undertaken to determine the acceptability of this route.

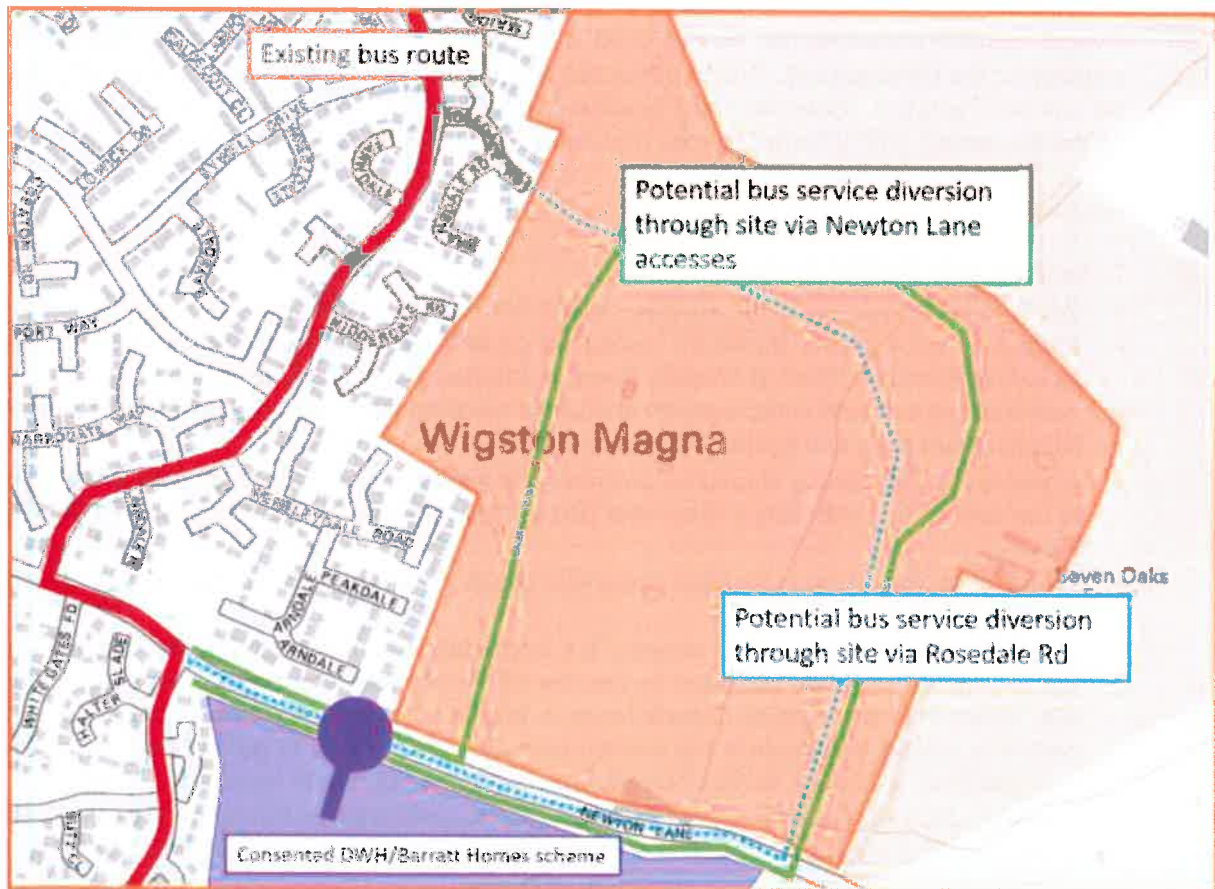


Figure 11: potential bus diversions

45. Overall, suitable safe and suitable access can be provided by all modes of transport.

### Traffic generation

46. Residential developments typically generate the peak hour trip rates shown in the table below. The resultant traffic generation of 1000 dwellings, as a worst case, is also shown to illustrate the likely increases in traffic as a result of the development.

|                                |              | arrive | depart | two-way |
|--------------------------------|--------------|--------|--------|---------|
| trip rates (per dwelling)      | AM peak hour | 0.2    | 0.5    | 0.7     |
|                                | PM peak hour | 0.5    | 0.2    | 0.7     |
| vehicle trips (1000 dwellings) | AM peak hour | 200    | 500    | 700     |
|                                | PM peak hour | 500    | 200    | 700     |

47. Should a planning application subsequently be submitted, a Transport Assessment would need to be prepared and this would use trip rates extracted from the TRICS database in accordance with guidance. A Travel Plan would also need to be prepared as part of any planning application, in order to promote sustainable travel and reduce the number of car trips generated. The Travel Plan would seek to reduce the number of peak hour car trips by 10-15%.

### Modal split and person trips

48. The proportion and number of trips likely to be generated in an average peak hour by each mode of transport was calculated using the 2011 National Census *Method of travel to Work* data (dataset QS701EW) for the area (Oadby and Wigston 007 MSOA). This is reasonable as the new residents would display similar travel patterns to existing residents in the area. The resultant modal split and person trip generation is summarised below.

| on foot | bicycle | bus  | train | motorcycle | car driver | passenger | taxi |
|---------|---------|------|-------|------------|------------|-----------|------|
| 6.9%    | 2.8%    | 7.5% | 0.6%  | 0.5%       | 75.7%      | 5.7%      | 0.2% |
| 64      | 26      | 69   | 6     | 5          | 700        | 53        | 2    |

49. The paragraphs above explain the existing accessibility of the site and the sustainable travel infrastructure that should be provided as part of the development. The existing and proposed infrastructure would accommodate the 64 pedestrian trips, 26 cycle trips and 69 bus trips.
50. With pedestrian connections through to the residential estate to the west, the school to the north, and along Newton Lane to the south, the pedestrian trips would disperse. The proposed footway/cycleway along Newton Lane, connecting to the consented infrastructure provided as part of the DWH/Barratt Homes scheme would accommodate the cycle trips. The provision of a bus service through the site, at a 15 minute frequency, would mean an additional 18 passengers per bus.

### Highway impact

51. With 1000 dwellings, the proposed development would generate in the region of 700 two-way traffic movements in the peak hours. The Transport Assessment prepared in support of the DWH/Barratt Homes scheme forecast the approximately 85% of trips would route to and from the west through Wigston, whilst 15% would route to and from the east. This equates to approximately 595 trips to and from the west, and 105 to and from the east in the peak hours.
52. As part of any subsequent Transport Assessment, it will be necessary to forecast the development traffic generation using the TRICS database, and distribute it to the local highway network using 2011 Census journey to work data. It will also be necessary to assess the impact of the additional development traffic at any junction likely to experience an increase of 30 or more two-way trips in the peak hours.

53. As detailed in Section 13, some of the key junctions within Wigston are operating at or above capacity. Therefore, mitigation measures would need to be identified and implemented as part of the proposed development to address any severe impacts. Such highway mitigation measures would take into account the sustainable transport improvements that would be provided as part of the development (new footway/cycleway, new bus service through the site), as well as the measures and targets within the Travel Plan to reduce the number of car trips.
54. It would not be necessary for the development to fully mitigate a junction so that it operates within capacity. Instead, mitigation is needed only to address severe impacts. Therefore, whilst junctions 1 and 6 (for example) are overcapacity, unless the development traffic results in a severe impact, mitigation measures would not be justified. The location and type of any mitigation cannot be identified at this stage.
55. Overall, the proposed development would accord with the aims of the NPPF, which requires sustainable transport measures to be promoted, and requires improvements to be undertaken to the highway infrastructure that cost effectively limits the significant impacts of the development.

### Summary and conclusions

56. Davidsons Developments Ltd and Jelson Ltd are seeking to promote land to the north of Newton Lane, between Wigston and Oadby, in the Local Plan. It is understood that the land could provide around 1,000 residential dwellings in total.
57. ADC Infrastructure Ltd were commissioned to provide a transport review of the site, and determine what infrastructure is required to ensure safe and suitable access by all modes is achievable. This Transport and Access Advice Report has therefore been prepared for use by Davidsons and Jelson Ltd.
58. This report examines the site location and opportunities for access by sustainable transport modes (walking, cycling, and bus). It concludes that the site is in a sustainable location, with good opportunities for travel by sustainable modes. As part of the development, new pedestrian connections would need to be made to the residential estate to the west, the public footpath would need to be improved, a new footway/cycleway would need to be provided along Newton Lane, and a bus service would need to be diverted through the site.
59. This report presents the potential site access junction layouts to demonstrate that safe and suitable access is achievable. It proposes a three-arm roundabout on Newton Lane, which can be designed to standards and replicates the consented roundabout further west. A second point of access can be achieved via a new fourth arm on the consented DWH/Barratt Homes roundabout and/or via a new T-junction with ghost island right turn lane located centrally between the two roundabouts. It also suggests that vehicular connections could be made to the residential estate to the west, via Denbydale and Rosedale Road.
60. Finally, this report forecasts the likely trip generation of 1000 dwellings as the likely maximum quantum of development. The development could generate approximately 700 vehicle movements, 64 pedestrian trips, 26 cycle trips and 69 bus passenger trips in a peak hour. The additional trips would need to be assessed, and mitigation proposed where the development traffic would have severe impacts.
61. Overall, the report demonstrates that: the aims of the NPPF are satisfied; safe and suitable access is achievable; the development would be deliverable; and that there are no transport grounds to prevent the allocation of the development in the Oadby and Wigston Local Plan.

APPENDIX A  
ILLUSTRATIVE DEVELOPMENT LAYOUT

## APPENDIX B

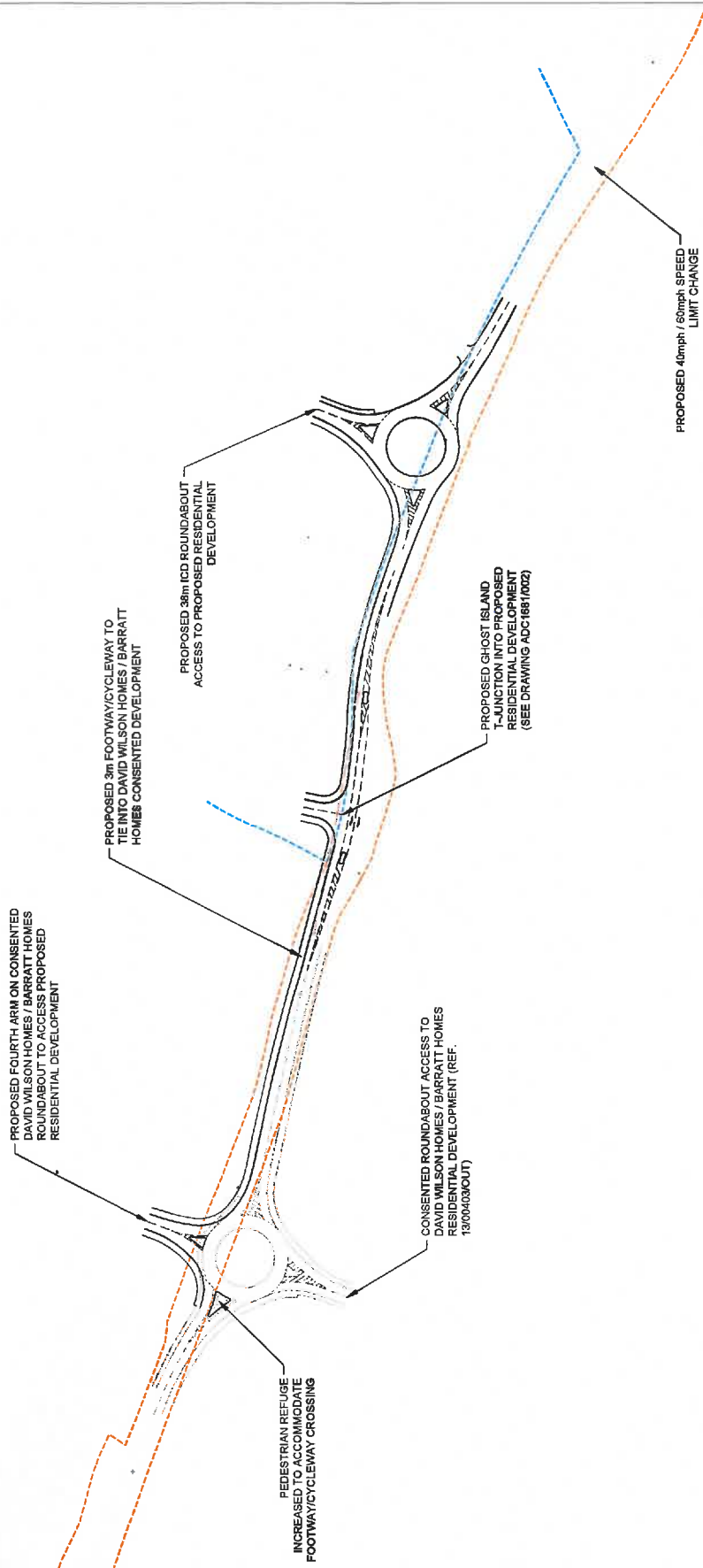
### ACCESS DESIGN DRAWINGS

ADC1681/001 P2

ADC1681/002 P2

ADC1681/002SPA AND SPB

ADC1681/003



--- HIGHWAY BOUNDARY  
--- SITE BOUNDARY

| Rev | Revised Following Comment | Date     |
|-----|---------------------------|----------|
| 01  | Preliminary Issue         | 29/08/17 |
| 02  | Description               | Date     |

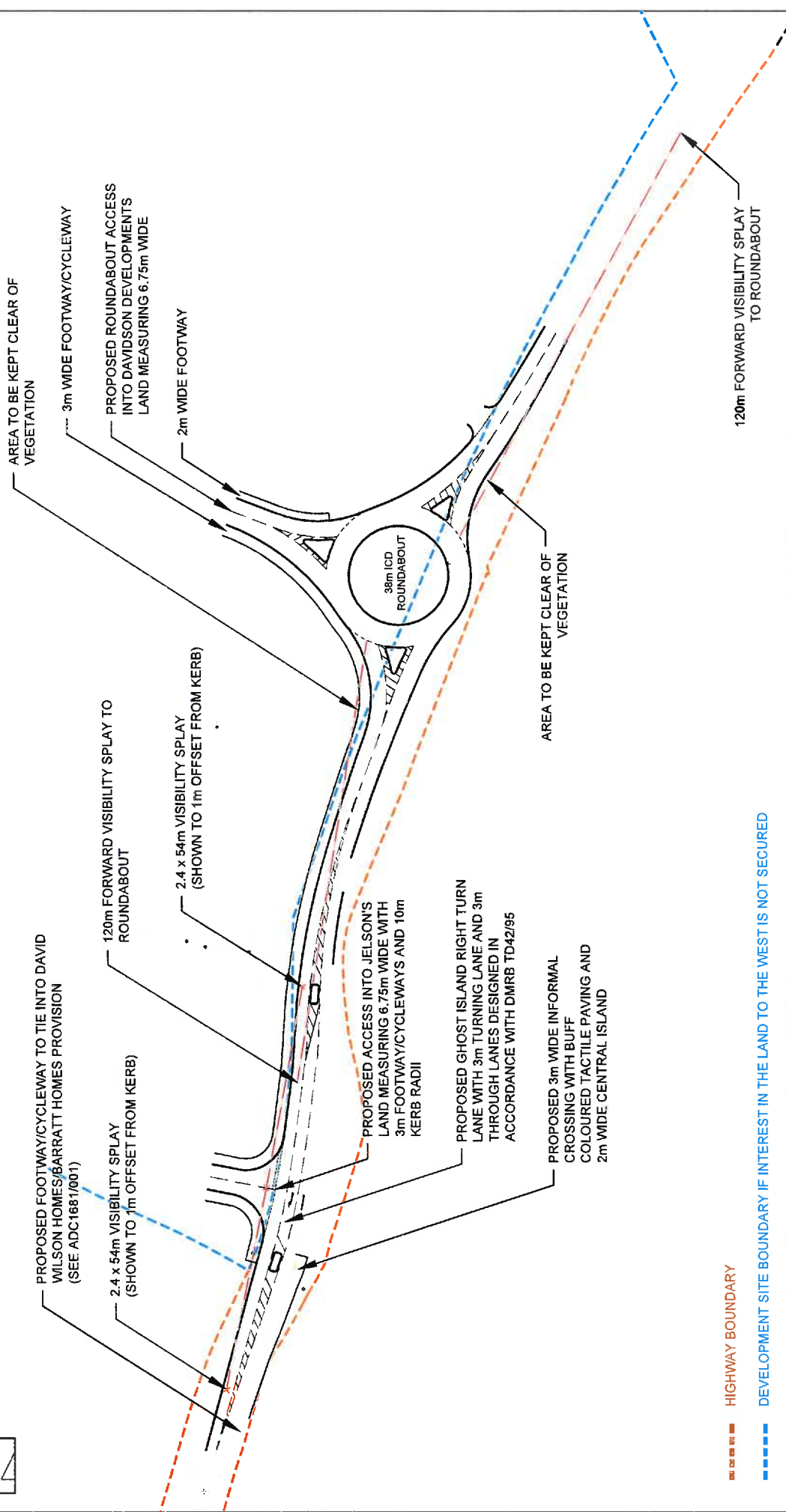
Client: Davidson Developments Ltd & Jelson Limited

Project: Proposed Residential Development  
Newton Lane, Wigston

Title: Proposed Highway Works  
Newton Lane  
(Option 1)



|                       |               |                  |
|-----------------------|---------------|------------------|
| Drawn By: A1          | Scale: 1:1000 | Date: 29/08/2017 |
| Drawn No: ADC1681/001 | Rev: P2       |                  |



|            |             |        |        |       |            |
|------------|-------------|--------|--------|-------|------------|
| Drng Size: | A3          | Scale: | 1:1000 | Date: | 23/08/2017 |
| Drng No.:  | ADC1681/002 |        |        | Rev:  | P2         |

Davidsons Developments Ltd  
and Jelson Limited

Client:

Proposed Residential Development  
Newton Lane, Wigston

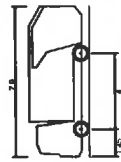
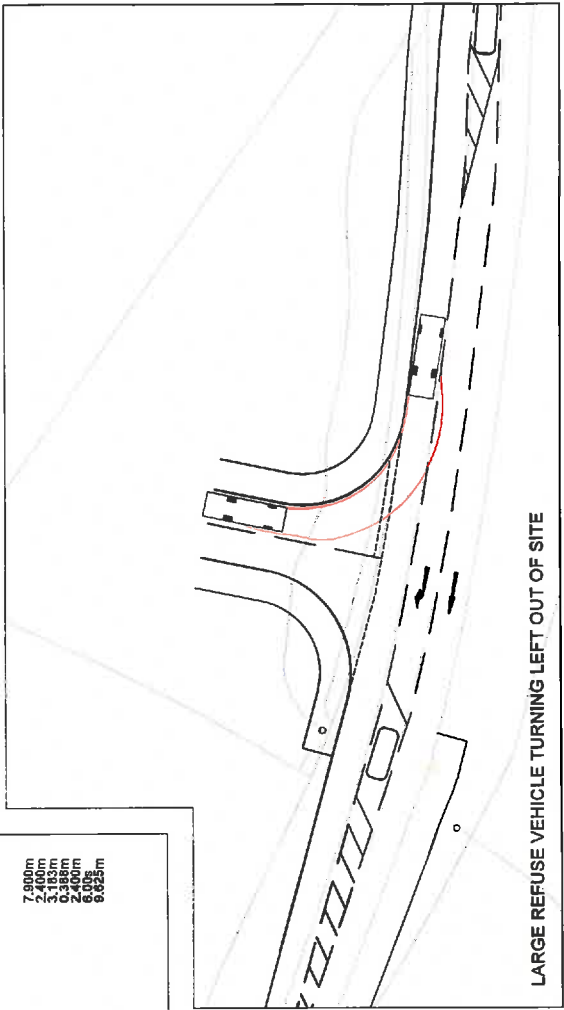
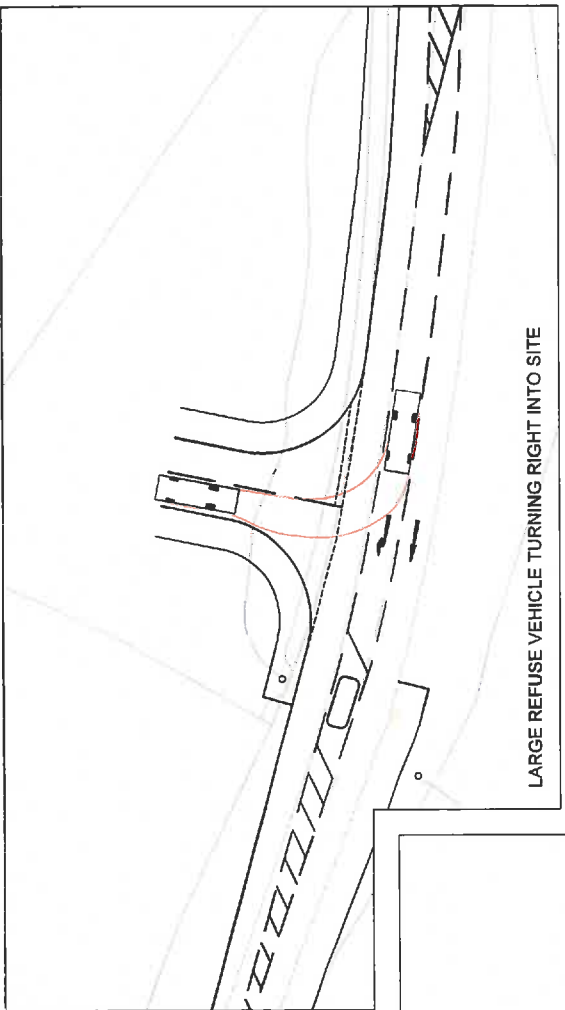
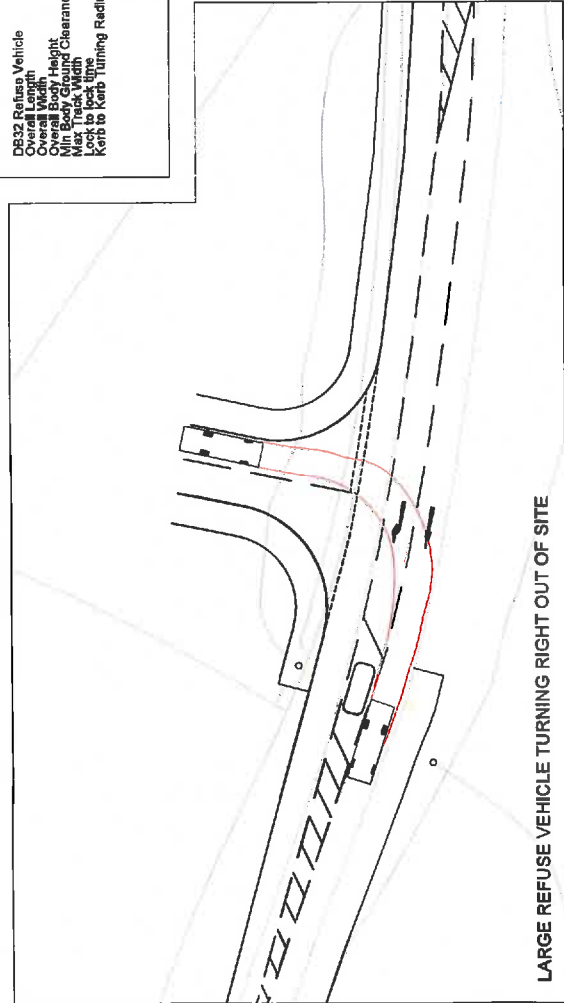
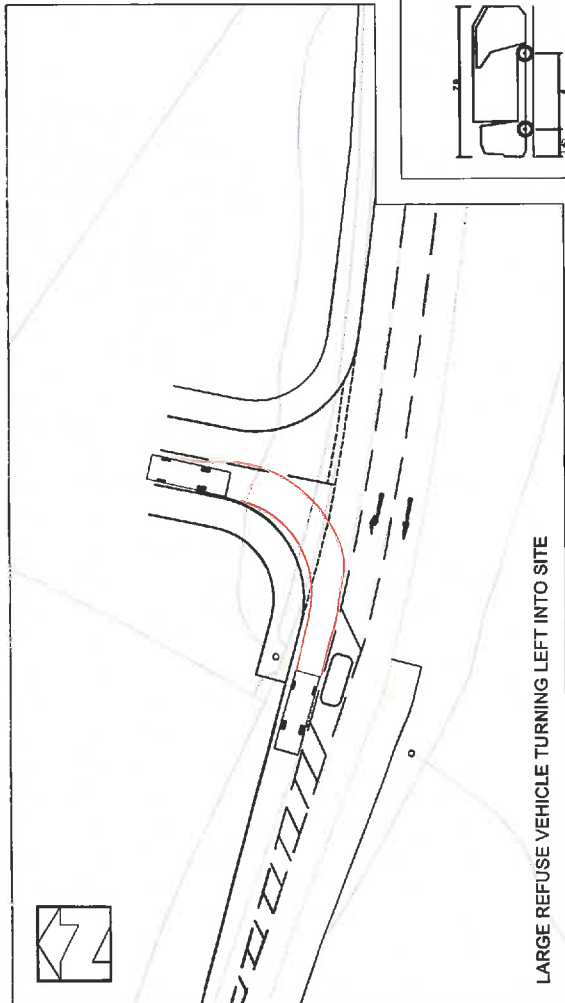
Proposed Highway Works  
Newton Lane  
(Option 2)

Project:

Title:

| Rev | Description               | Date     |
|-----|---------------------------|----------|
| P2  | Revised Following Comment | 11/09/17 |
| P1  | Preliminary Issue         | 23/08/17 |

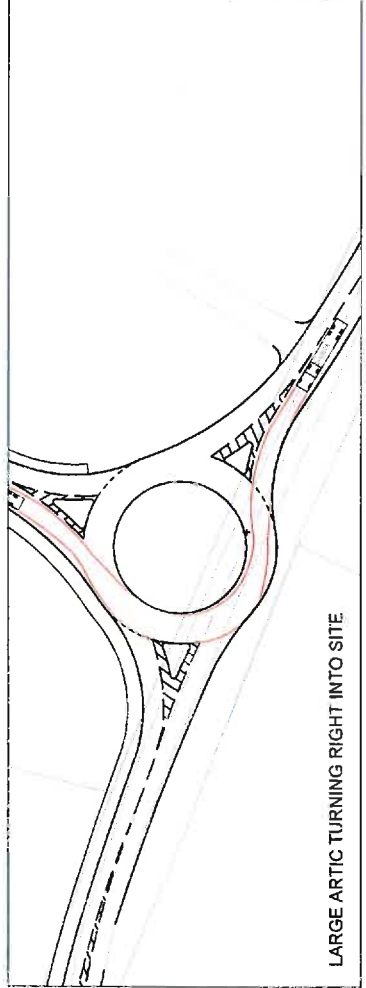
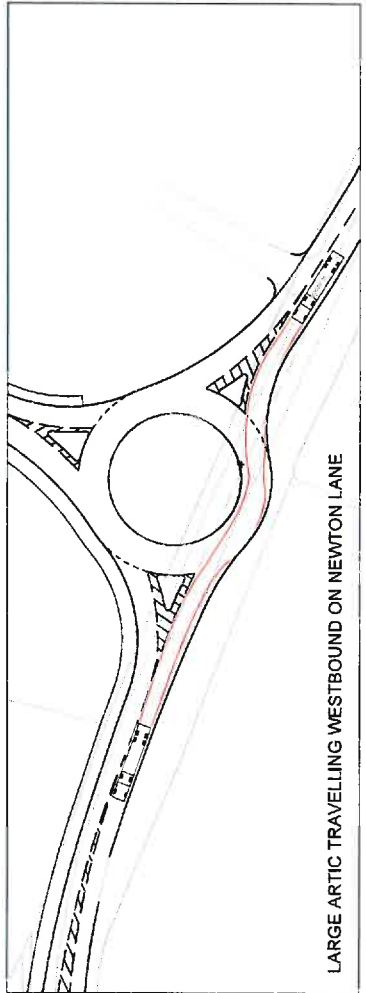
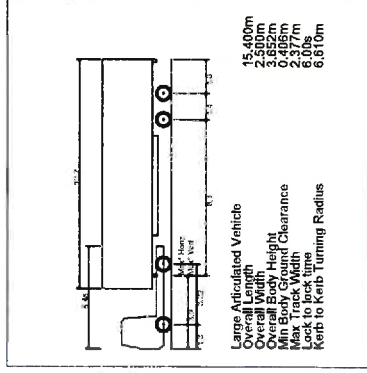
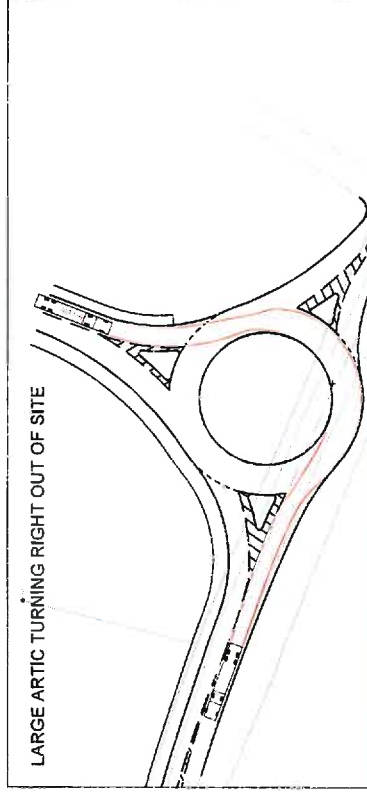
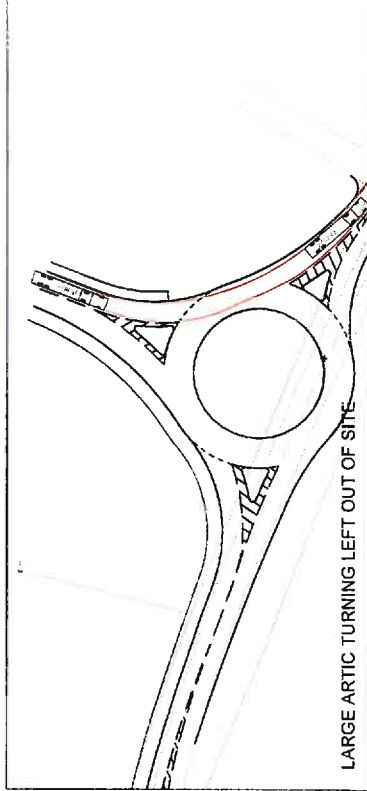
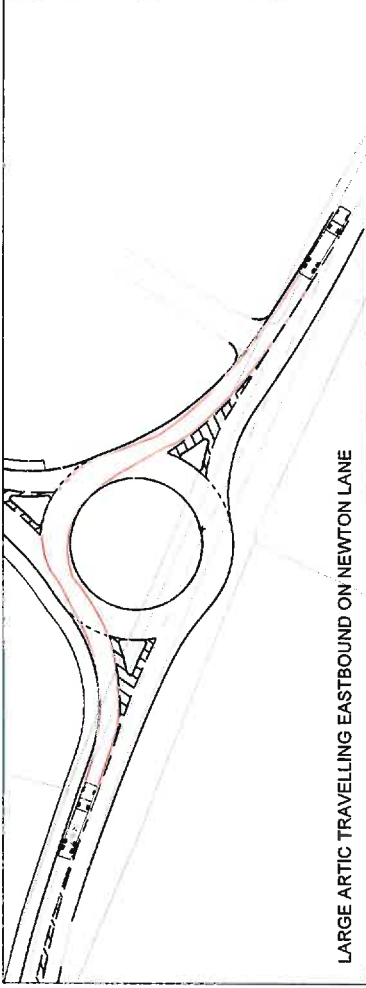
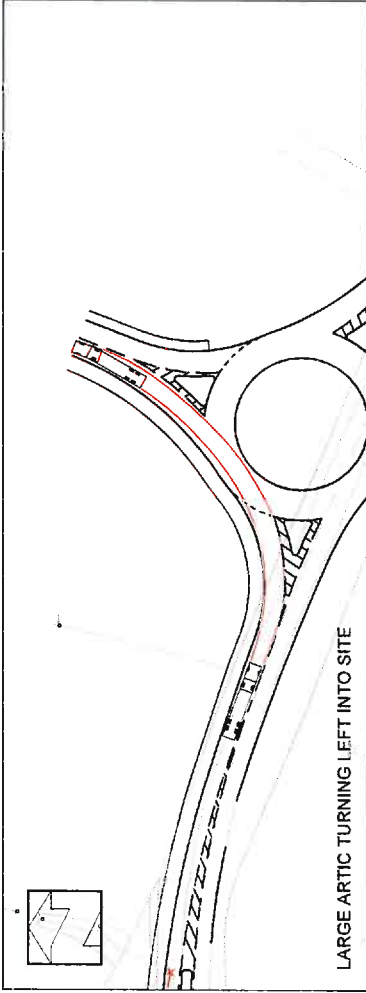




DS32 Refuse Vehicle  
 Overall Length 7.900m  
 Overall Width 2.400m  
 Overall Body Height 3.183m  
 Min. Body Ground Clearance 2.400m  
 Max. Body Width 6.098m  
 Lock to lock time  
 Kerb to Kerb Turning Radius 8.625m



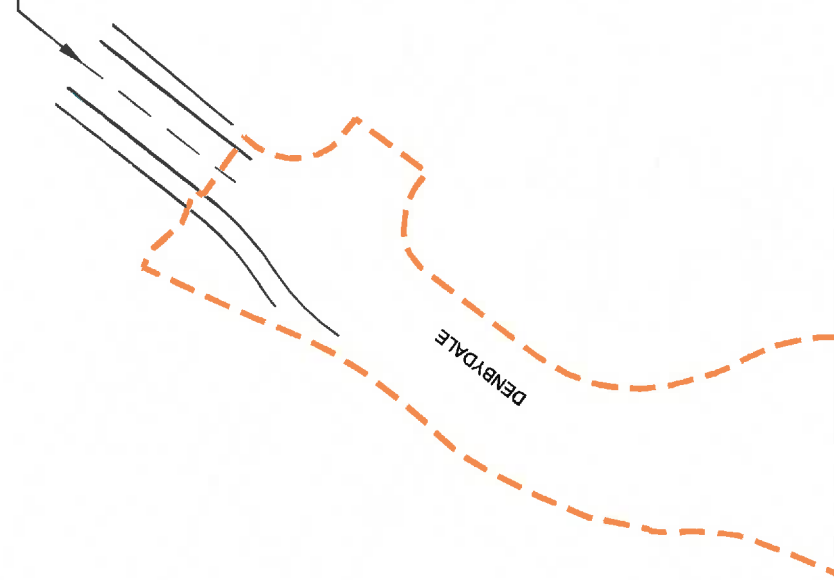
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|-----|---------------------------|----------|--|--|---|-----------------------|------------------|---------|
| Rev | Description               | Date     | Title:   |  | Client:                                       | ADC<br>INFRASTRUCTURE | Date: 23/08/2017 | Rev: P2 |
|     |                           |          | Swept Path Analysis of Large Refuse Vehicle at Jelson Access |  |   |                       |                  |         |
| P2  | Revised Following Comment | 11/09/17 | Project:   |  | Davidsons Developments Ltd and Jelson Limited | Dwg Size: A3          | Scale: 1:500     |         |
| P1  | Preliminary Issue         | 23/08/17 | Proposed Residential Development<br>Newton Lane, Wigston     |  |   |                       |                  |         |



|  |                           |   |                                    |
|--|---------------------------|---|------------------------------------|
| <b>ADC</b><br>INFRASTRUCTURE   |                           | Date: 23/08/2017<br>Scale: 1:500<br>Drg Size: A3      | Rev: P2<br>Drg No: ADC1681/002/SPb |
| <b>Proposed Residential Development</b><br>Newton Lane, Wigston              |                           | Client: Davidsons Developments Ltd and Jelson Limited |                                    |
| <b>Swept Path Analysis of Large Articulated Vehicle at Davidson's Access</b> |                           | Title:  |                                    |
| P2   | Revised Following Comment | 11/09/17  | Date                               |
| P1   | Preliminary Issue         | 23/08/17  | Date                               |
| Rev  | Description               |   | Date                               |

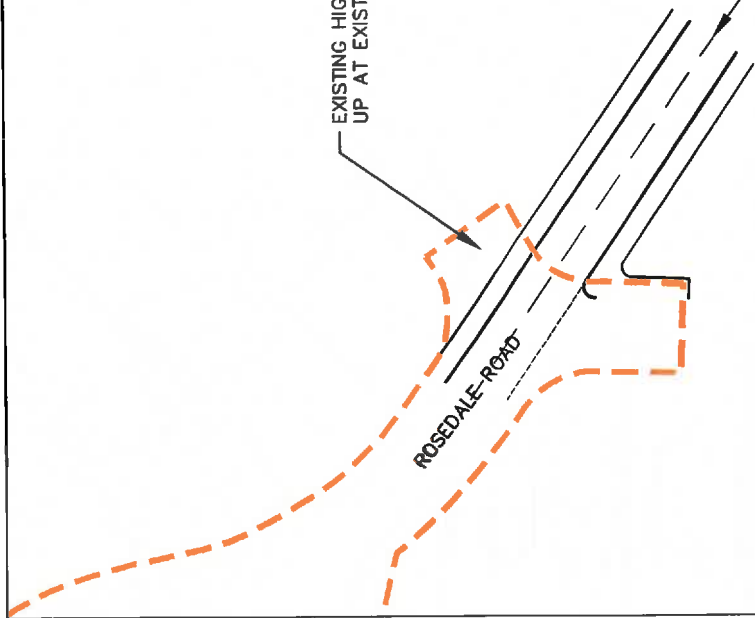


5.5m WIDE SITE ACCESS  
CARRIAGEWAY WITH 2m WIDE  
FOOTWAYS CONNECTING TO  
EXISTING ROUTES



EXISTING HIGHWAY TO BE STOPPED  
UP AT EXISTING TURNING HEAD

5.5m WIDE SITE ACCESS  
CARRIAGEWAY WITH 2m  
WIDE FOOTWAYS



--- HIGHWAY BOUNDARY



|                                |                        |                            |                   |
|--------------------------------|------------------------|----------------------------|-------------------|
| Drwg Size:<br><b>A3</b>        | Scale:<br><b>1:500</b> | Date:<br><b>23/08/2017</b> | Rev:<br><b>P1</b> |
| Drwg No:<br><b>ADC1681/003</b> |                        |                            |                   |

Client:  
**Davidsons Developments Ltd  
and Jelson Limited**

Project:  
**Proposed Residential Development  
Newton Lane, Wigston**

Title:  
**Proposed Access Junction Layout  
Denbydale & Rosedale Road**

| Rev | Description       | Date     |
|-----|-------------------|----------|
| P1  | Preliminary Issue | 23/08/17 |

# Contact Details

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## Enquiries

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