



Report to Oadby and Wigston Borough Council

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PLANNING AND COMPULSORY PURCHASE ACT 2004

SECTION 20

REPORT ON THE EXAMINATION OF THE OADBY & WIGSTON CORE STRATEGY

DEVELOPMENT PLAN DOCUMENT

Document submitted for examination on 25 January 2010

Examination hearings held between 27 April and 6 May 2010

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ABBREVIATIONS USED IN THIS REPORT

CIL	Community Infrastructure Levy
DfG	Direction for Growth
DPD	Development Plan Document
EDDR	Eastern District Distributor Road
LDS	Local Development Scheme
PPS	Planning Policy Statement
PUA	Principal Urban Area
RIGS	Regionally Important Geological Site
RSS	Regional Spatial Strategy
SCI	Statement of Community Involvement
SHLAA	Strategic Housing Land Availability Assessment
SHMA	Strategic Housing Market Assessment
SSSI	Site of Special Scientific Interest
[CD1/01]	Core Document in the Examination Library

1. Introduction and Overall Conclusion

- 1.1 Under the terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004, the purpose of the independent examination of a Development Plan Document (DPD) is to determine:
 - (a) whether it satisfies the requirements of s19 and s24(1) of the 2004 Act, the regulations under s17(7), and any regulations under s36 relating to the preparation of the document; and
 - (b) whether it is sound.
- 1.2 This report contains my assessment of the Oadby & Wigston Core Strategy DPD in terms of the above matters, along with my recommendations and the reasons for them, as required by s20(7) of the 2004 Act. My report firstly considers the legal requirements, and then deals with the relevant matters and issues considered during the examination to assess whether the DPD is sound.
- 1.3 To be found sound there are three criteria against which I have to assess the Core Strategy and these are set out in Planning Policy Statement (PPS) 12, at paragraphs 4.51-4.52. To be sound, a DPD should be justified, effective and consistent with national policy.
- 1.4 In line with national policy, the starting point for the examination is the assumption that the local authority has submitted what it considers to be a sound plan. The basis for my examination is the submitted draft DPD which is the same as the earlier published document. Post-submission changes were put forward by the Council in a Schedule of Changes dated January 2010. As these are minor amendments designed solely to update the DPD, correct small inaccuracies and/or provide further clarification, I am content to endorse them. They are shown in Annexe 2 to this report, and I make no further comment on their content.
- 1.5 The changes I have specified in this binding report are made only where there is a clear need to amend the document in the light of the legal requirements and/or the soundness criteria in PPS12. I have taken full account of the requirement that none of the changes should materially alter the substance of the overall plan and its policies, or undermine the sustainability appraisal and participatory processes already undertaken.
- 1.6 My report sets out all the detailed changes required to ensure that the plan meets the legal requirements and the soundness criteria. These changes are explained and presented in summary in the main body of the report, and are detailed in two annexes. Annexe 1 includes changes which followed from discussions at the Hearings, were agreed by the Council, and were consulted on¹. I consider that all the changes in Annexe 1 are necessary to make the document

¹ Changes to Chapter 3 were advertised and consulted on for 4 weeks following the Pre-Hearing Meeting in April 2010, and changes to other sections of the Core Strategy were advertised and consulted on for 4 weeks after the Hearings ended on 6 May 2010.

sound. Annexe 3 contains limited additional changes proposed by me and also needed for soundness. I am satisfied that they can be made without the requirements for further public consultation or sustainability appraisal.

- 1.7 In addition to the Council's early Schedule of Changes, other minor changes are sought by the Council which correct, clarify or update the DPD without going to soundness. In particular, the Council has made a number of editorial changes which take account of the abolition of the East Midlands Regional Plan. I endorse all these minor changes which have been added to Annexe 2. I am content for the Council to make any additional minor changes eg. to page, figure, paragraph etc numbers, or to correct spelling prior to adoption.
- 1.8 My overall conclusion is that the Oadby & Wigston Core Strategy is sound, provided it is changed in the ways specified.

2 Legal Requirements

- 2.1 The Oadby & Wigston Core Strategy DPD is contained within the Council's Local Development Scheme (LDS), as updated in April 2010. That shows publication of the Core Strategy under Regulation 27 in October and November 2009, and adoption in September 2010. The Core Strategy is described as setting out "the vision, objectives and strategy for spatial development within the Borough". Therefore, the timing, subject matter and area covered by the DPD accord with the LDS.
- 2.2 The Council's Statement of Community Involvement (SCI) has been found sound by the Secretary of State and was formally adopted by the Council on 29 March 2006, with amendments to Chapter 12 (Consultation on Planning Applications) adopted in October 2009. It is evident from the documents submitted by the Council, including the Regulation 30(1) (d) and 30(1)(e) Statements, that the Council has met the requirements for community involvement as set out in the SCI and Regulations. In addition, all substantive possible changes identified during the examination process were advertised for consultation and comment. I have taken account of the responses in preparing this report.
- 2.3 Alongside the preparation of the DPD, the Council has carried out a parallel process of sustainability appraisal.
- 2.4 In accordance with the Habitats Directive, Appropriate Assessment Scoping was undertaken which demonstrated that there would be no significant harm to the conservation of any of the Natura 2000 sites within approximately 25kms of the Borough boundary. Appropriate Assessment was not therefore required. In a letter of 26 January 2010, Natural England confirmed its support for this conclusion.

- 2.5 The DPD has had regard to national policy and I discuss its relationship to particular aspects below. Since the Core Strategy was published in October 2009, there have been a number of new PPSs and draft consultation PPSs. Notably, PPS4: Planning for Sustainable Economic Growth was published in December 2009, with PPS 5: Planning for the Historic Environment and PPS 25: Development and Flood Risk (Revised) published in March 2010². New Community Infrastructure Levy (CIL) Regulations and Guidance also were issued in Spring 2010. Revisions to PPS3 were made in June 2010. I am satisfied that the Core Strategy is broadly consistent with all new and emerging national policy.
- 2.6 The East Midlands Regional Assembly indicated that the DPD was in general conformity with the East Midlands Regional Plan March 2009, the approved Regional Spatial Strategy (RSS), and I agreed with that conclusion. In the late stages of my examination, the Government abolished RSS, and I comment on this particularly in respect of housing policy in section 3 below³.
- 2.7 I am satisfied that the DPD has had regard to the Leicestershire and Oadby and Wigston Sustainable Community Strategies. I note that the Core Strategy shares a vision with the latter.
- 2.8 A list of Saved Local Plan Policies to be superseded by the Core Strategy is included as Appendix 3. The DPD complies with all the other specific requirements of the 2004 Act and Regulations (as amended). Accordingly, I am satisfied that the legal requirements have all been met.

3 Soundness considerations: Justified, Effective and Consistent with National Policy

Issue 1 – Whether the opening chapters set out the spatial portrait, vision and spatial objectives for the Borough clearly and convincingly and explain the Local Development Framework accurately.

- 3.1 PPS12 describes the nature of local spatial planning in its section 2, and the nature of core strategies in section 4. Chapters 3 and 4 of the Core Strategy address the important topics of spatial portrait, vision and spatial objectives. Chapter 3 of the submitted draft Core Strategy does not describe current circumstances in a clear fashion leading up to a consequent set of issues and challenges for the future. The Council has re-written the chapter and consulted on it. I consider that the revised text provides a consistent and informative picture of the economic, environmental and social issues facing the

² In March 2010, also: PPS: Consultation – Planning for a low carbon future in a changing climate; PPS: Consultation – Planning for a Natural and Healthy Environment.

³ Letter from the Minister, Rt Hon Eric Pickles MP dated 27 May 2010, and headed Abolition of Regional Strategies; and Revocation of Regional Spatial Strategies under s79(6) of the Local Democracy, Economic Development and Construction Act 2009, on 6th July 2010.

Borough. It gives a necessarily solid foundation for the subsequent policies and proposals which make up the Core Strategy. The proposed new diagram illustrates how the spatial portrait leads through issues and the priorities in the Sustainable Community Strategy to the vision and spatial objectives.

- 3.2 I accept that some further amendments stemming from public consultation on the revised Chapter 3 and discussions at the Hearings should be made. These are to expand the information on the historic environment; to explain the quality of and aims for public transport better; to state that green infrastructure is to be protected as well as enhanced; to provide a fuller description of South Wigston's character; to correct any misunderstanding that Pennbury Eco-Town will shape the future of the Borough; and to give greater emphasis to the University of Leicester's role and position in the Borough. In addition, it should be clear that there are 2 out of centre supermarkets in Oadby. The Council agreed to all these changes and advertised the principal ones. For ease of presentation, all the necessary changes to Chapter 3 are shown in Annexe 1. With these amendments, I conclude that Chapter 3 will comply with PPS12 on the nature of core strategies and local spatial planning.
- 3.3 Figure 1 in Chapter 1 of the Core Strategy helpfully illustrates the main elements of the Development Plan. It refers, mistakenly in my view, to the Proposals Map as a DPD. The Proposals Map is more accurately described as "a cartographic representation of the geographic application of all policies with specific spatial extent set out in a DPD or saved development plan".⁴ As the Core Strategy does not define strategic allocations which would have to be shown on a Proposals Map, no consequential amendments would stem from removing references to it. I recommend that Figure 1 and paragraph 1.4 of the Core Strategy are changed to clarify that the Proposals Map is not a DPD.
- 3.4 Paragraph 4.4 of the Core Strategy could be read to mean that the Core Strategy has been shaped by the Town Centre Masterplans Area Action Plan. I accept that work on masterplans at the local, detailed level may help to indicate whether a proposal would be deliverable. However, it must be clear that the Core Strategy is the primary DPD providing the hooks from which to hang a future Area Action Plan. I endorse re-wording of paragraph 4.4 to clarify the point about the hierarchy of DPDs as put forward by the Council.
- 3.5 I have considered whether the Key Diagram is suitably located and illustrates the strategy for development sufficiently. The Council suggested that it could be supplemented by a location plan alongside paragraph 1.1 and I accept that this would help the reader, and mean that the Key Diagram should remain at the end of Chapter 5. As discussed further below, the Key Diagram should be amended to

⁴ Local Development Frameworks Examining DPDs: Learning from Experience, Planning Inspectorate 2009

illustrate the proposed level of development in the three main centres. Providing these changes are made, I conclude that the Core Strategy sets out the spatial portrait, vision and spatial objectives appropriately and explains the LDF process accurately.

Recommendations

The following changes are required to make the DPD sound:

Replace Chapter 3 of the Core Strategy with the version shown in Annexe 1 [CC1].

Amend Figure 1 and paragraph 1.4, to make clear that the Proposals Map is not a DPD [IC1, Annexe 3].

Change the 2nd sentence in paragraph 4.4 to refer to Town Centre Masterplans but not Area Action Plans [CC2].

Add a location plan to Chapter 1[CC3].

Amend the Key Diagram to show levels of development in 3 main centres [CC4].

Issue 2 – Whether Core Strategy Policy 1 sets out the most appropriate strategy when considered against the reasonable alternatives with particular reference to the proposed Direction for Growth, and proposed Pennbury Eco Town

3.6 After setting out the quantum of new housing and employment land development which is expected over the plan period to 2026, Core Strategy Policy 1 states that development will be focussed on the centres of Oadby, Wigston and South Wigston. Further development will be encouraged elsewhere within the Leicester Principal Urban Area (PUA). One "Direction for Growth" adjoining the PUA on a greenfield site would accommodate a mix of uses including some 450 dwellings. I consider that the approach to planning which this policy represents should enable the regeneration of the existing town and district centres. The concentration of new development within the existing built-up area is consistent with national and sub-regional policy, and should help promote sustainable travel patterns. Identification of a single greenfield site should limit the impact of growth on green wedges and the countryside, and reduce the need for new infrastructure. In my view, the approach is consistent with good spatial planning and place-shaping.

Direction for Growth

3.7 The proposed Direction for Growth (DfG) is located south-east of Wigston. Alternative locations have been systematically assessed in the process of preparing the Core Strategy. As Policy 1 states, the preferred position would reinforce the role of Wigston as the Borough's main town. It should aid regeneration of the town centre providing additional retail spending, and support for other local businesses, services and facilities. New residents of the DfG would

have good access to the University, Hospital, educational services, employment and town centre opportunities, in addition to the local services and facilities within the mixed use development.

- 3.8 I have considered the argument for an alternative location for the DfG south of Oadby west of the A6 road. The Council's Supplemental Issues and Options Paper June 2007 identified 5 possible areas for a DfG which included both the south-east of Wigston ('B') and south of Oadby ('C'). Areas 'B', 'C' as well as 'E' were taken forward but 'E' and 'C' were subsequently discounted. Whilst development of 'C' would support the growth of Oadby centre, Oadby is a smaller centre than Wigston, and I accept that Wigston requires optimum support. An assessment of highways and transport implications carried out jointly with Harborough District Council [CD6/01] concluded that either 'B' or 'C' would be suitable for a DfG, but 'C' would be dependent on the A6 into Leicester City, which is more constrained in terms of highway and public transport capacity than the A5199 which serves Wigston. In addition, Harborough District plans for growth within or adjoining Leicester PUA and at Market Harborough which is likely to increase traffic movements on the A6. I deal more fully with transport considerations under Issue 10 below.
- 3.9 I have considered whether the assessment of options was flawed because it addressed sites with the potential for up to 3,000 dwellings when only about 450 dwellings are required during the plan period. However, the Assessment of Broad Locations [CD8/06] makes clear that the DfG would need to provide for some 400-500 homes. The DfG is likely to be needed to cope with further growth after 2026. Also, as there is a potentially large area of land south-east of Wigston, if one local landowner is unwilling to engage in the proposed development, this should not prevent the scheme going ahead.
- 3.10 Studies of landscape, biodiversity, flood risk and drainage, and archaeology suggest that there are no major constraints to developing the land south-east of Wigston. Proximity to a RIGS and SSSI can be given due consideration at the detailed planning stage to avoid any harmful impact. I accept that option 'C' could be expected to deliver more affordable housing than option 'B' as the viability studies for affordable housing have concluded that the Oadby market can support a higher percentage of affordable housing than Wigston. However, as the DfG is greenfield land, there may be scope for securing more than the average of 20% for Wigston. In my view, this consideration does not outweigh the locational and transport advantages of selecting option 'B'.
- 3.11 The selection of option 'B' south-east of Wigston for the DfG has the support of Leicestershire County Council, Leicester City Council, Harborough District Council and the Highways Agency. On balance, I conclude that the land south-east of Wigston is the best alternative, and its selection is founded on wide-ranging and credible evidence.

Developers are willing and available to take the development forward, and I find that the DfG in Core Strategy Policy 1 is sound.

- 3.12 Policy 1 indicates that the DfG will be programmed not to start before 2017, so that regeneration of the existing centres of Oadby, Wigston and South Wigston can be progressed first, with investment and infrastructure provision focused on those locations. The arguments against this phasing include that early development of the DfG would provide more flexibility for developers and investors, with a mix of brownfield and greenfield opportunities. Previously developed land could be difficult to develop when land prices are not rising, as in recent times.
- 3.13 Analysis of the housing trajectory indicates that a 5 year supply may not be achieved in the years immediately preceding 2017. Also, the DfG is expected to deliver a substantial amount of affordable housing, which is urgently required. Town centre schemes are likely to include a high proportion of apartments, for which demand is dwindling, whereas the DfG would offer a wider range of house types and much-needed family housing. However, the shortage in terms of 5 year supply would be very modest. By 2017 when the DfG is expected to begin to deliver development, it is possible that the viability of affordable housing provision could be significantly better than that which prevails in the current period of economic difficulties.
- 3.14 Without doubt, regeneration of the Borough's existing town and district centres presents a challenge, but Policies EC3 and EC4 of PPS4 make clear that local planning authorities should proactively plan and manage their centres. The Core Strategy's approach was in conformity with the now abolished East Midlands Regional Plan, paragraph 2.2.1, calling for urban renaissance. It is entirely reasonable, in my view, that a phasing programme should be adopted to ensure that the task of regeneration takes priority over and precedes the development of greenfield land in this instance.
- 3.15 Actual site allocations will be made in the Wigston and Oadby Town Centre Masterplans Area Action Plan and the Allocations DPD. Paragraph 5.9 of the Core Strategy commits to an annual review of the Strategic Housing Land Availability Assessment (SHLAA) and a plan, monitor and manage approach to housing supply. Annual monitoring should ensure that any failures to deliver in the town and district centres are identified quickly so that remedial action can be considered. The contingencies appear to be either to bring forward implementation of the DfG or other deliverable sites within the PUA. If a decision were taken to accelerate delivery of the DfG, this would require an early, partial review of the Core Strategy. However, at this stage, giving priority to regeneration of the centres and development within the PUA appears to me to be the most reasonable alternative and to be sound.

Pennbury Eco-Town

3.16 The rationale for referring to the Eco-Town is given in paragraph 3.72 of the Core Strategy. Appendix 4 provides more detailed information and Chapter 8 mentions a Pennbury tram line. PPS: Eco-Towns, A supplement to PPS1, July 2009, describes Pennbury as a location which has not demonstrated at this time the potential to meet sustainability and deliverability requirements for successful development as an eco-town. The relevant land is largely within Harborough District, the Council of which indicated that the proposed Eco-Town was not part of its emerging Core Strategy. Leicester City Council is reportedly intending to remove references to an eco-town from its Core Strategy. The spatial strategy for Oadby and Wigston does not rely on an eco-town, and I consider that the references to it in the Core Strategy are potentially confusing. There is no evidence that the scheme will be revived, or will deliver new development before 2026. The references in Chapter 3 and paragraph 5.54, are therefore no longer justified, and should be deleted from the Core Strategy.

3.17 Providing the DPD is changed as indicated, Policy 1 sets out the most appropriate spatial strategy for the Borough and is sound.

Recommendations

The following changes are required to make the DPD sound:

Delete paragraphs 3.72 (3.43 to 3.46 in revised Chapter 3), paragraph 5.54 and Appendix 4 of the Core Strategy - Pennbury Eco-Town [CC1, CC5 and IC4].

Paragraph 8.11 – The last line should be changed to read “... to link into a mass rapid transit system, such as a tram line...” [CC6].

Issue 3 – Whether the Core Strategy is likely to deliver a flexible, responsive supply of housing over the plan period and within different parts of the Borough

3.18 The RSS set a target of 1,800 new dwellings or an average of 90 dwellings per year for the Borough. The Core Strategy adopted this figure, Policy 1 describing it as a minimum target. Based on past completions which averaged 92 dwellings per year in the period 1996-2008, this target appears deliverable. Figure 4 and the housing trajectory, shown in Figure 5 and Appendix 1, demonstrate how the housing requirement would be met, taking account of evidence from the SHLAA, current commitments, existing allocations, town centre masterplan work and the DfG. I am satisfied that these would collectively provide some 1,800 dwellings by 2026.

3.19 The new Government, formed after the hearings were held, has announced that decisions on housing supply will rest with local planning authorities in future, without the framework of numbers and

plans contained in RSS. This is a material planning consideration, but there is no evidence that the RSS presented a target for housing development in Oadby and Wigston which was out of line with past housing completions, or with local potential. The Council has confirmed that the target of 1,800 dwellings is consistent with its own earlier representations to the East Midlands Regional Plan. I am satisfied that the target for future housing in Oadby and Wigston is sound even though the RSS is no longer in place.

- 3.20 Existing commitments are expected to provide 479 dwellings, even with the economic downturn, giving a 5 year housing supply before allowance is made for SHLAA sites. The housing trajectory indicates a fall in annual completions in the second five year period from 2014/15 onwards. As explained already, I have considered whether the figures for years 6-10 should mean that the DfG be promoted earlier to boost housing completions. However, in addition to my concern that the DfG should not pre-empt regeneration of the existing centres, Appendix 1 of the Core Strategy implies that the shortfall for this period would be fewer than 50 dwellings in total.
- 3.21 No allowance has been made in the trajectory for windfalls. This is the correct approach in line with PPS3, but if any windfalls do come forward, they would help meet the shortfall. The historical record for housing completions 1996-2008 shows that annual figures have fluctuated from 15 new dwellings a year in 2001/2 to 154 in 2006/7. It appears that, in this relatively small Borough, the development (or failure to deliver) of a large site can have a major impact on annual figures. This suggests that it is difficult to predict with precision for the 6-10 year period in Oadby and Wigston, and reinforces my opinion that it is unnecessary to change the figures in the Core Strategy. It will however be essential to plan, monitor and manage the supply of housing land in line with paragraph 5.9 of the DPD.
- 3.22 Core Strategy Policy 1 sets out the intended distribution of new development in broad terms, but the expected numbers of new dwellings in parts of the Borough are only set out in Chapter 8, which gives targets related to Spatial Objectives. Policy 1 and the following Figure 4 should include the relevant housing figures for different areas, so that it is clear how much development is intended to happen where and when, in accordance with PPS12 paragraphs 4.1(3) and 4.5. For consistency, paragraph 5.6 should be deleted.
- 3.23 Site allocations in the forthcoming Oadby & Wigston Town Centre Masterplans AAP and Allocations DPD will assist delivery, as referenced in paragraph 5.5. I accept that, whilst the SHLAA will have a role in securing a sufficient and flexible housing supply and will inform monitoring, the Core Strategy must not suggest that the SHLAA would substitute for future DPDs or undermine correct planning processes including public consultation and sustainability appraisal. For this reason I only partially support the Council's proposed change to paragraph 5.6. In the event that it becomes clear that the planned level of housing to 2026 cannot be delivered,

the strategy would need to be reviewed. However, I see no need to state this in the Core Strategy.

- 3.24 PPS3 expects effective use to be made of previously developed land (pdl). In recent years, Oadby and Wigston Borough Council has secured 100% of new housing development on pdl. It is estimated that the proposals in the Core Strategy would deliver about 74%, so that the national (and former regional) targets of 60% would be exceeded.
- 3.25 Using land efficiently and setting densities across plan areas remain features of national policy for housing, even though the national indicative minimum of 30 dwellings per hectare has been taken out of PPS3. Policy 1 of the Core Strategy seeks a minimum density of 40 dwellings per hectare for developments of 0.3ha or more. I accept that this may inhibit some developments designed to provide good quality family housing, and should be modified. Seeking an average density of 40 dwellings per hectare or more would improve flexibility. The proposed re-wording would not rule out lower density schemes where viability and appropriateness (eg. good design) demanded it. The Policy should be amended accordingly. With all the above changes, I conclude that the Core Strategy should deliver a flexible and responsive supply of housing.

Recommendations

The following changes are required to make the DPD sound:

Policy 1 should be changed to give the amount of housing development proposed in the centres & elsewhere within the PUA [CC7].

The seventh bullet point in Policy 1 should read "average density of 40 dwellings per hectare or more." [CC7]

Figure 4 should include housing figures for Oadby, Wigston and South Wigston, and paragraph 5.6 should be amended [CC8 & IC6]

Issue 4 – Whether the Core Strategy provides satisfactorily for affordable housing, setting appropriate targets and thresholds, proportions for social rented and affordable housing, having regard for both local need and likely economic viability.

- 3.26 As paragraph 7.14 of the Core Strategy explains, the Leicester and Leicestershire Strategic Housing Market Assessment, 2008 (SHMA), identified a high level of need for affordable housing in the Borough, equivalent to 214 dwellings per year to 2016. This would exceed the target in the Core Strategy to build 90 dwellings of all types per year, and is clearly unattainable in full.
- 3.27 PPS3 expects local planning authorities to set an overall target for affordable housing provision reflecting not only the need, but also the

likely economic viability of developing land for housing in the area. Paragraph 7.17 of the Core Strategy refers to the Affordable Housing Viability Assessment undertaken in August 2009. The assessment, by The Three Dragons and Roger Tym & Partners, took account of development mix and density, other s106 infrastructure contributions, the effect of introducing the Code for Sustainable Homes and Lifetime Home standards, and different grant scenarios.

- 3.28 The consultants observed that there is no detailed Government guidance as to how targets should be set. A review of the residual values for different housing sub-markets within the Borough at alternative levels of affordable housing provision showed considerable variation between the sub-markets. If a single percentage target for affordable housing were applied across the Borough, low enough to accommodate the lowest market value areas, this would have to be 10%. Even then, some schemes would still be grant-dependent and might not be able to deliver the target.
- 3.29 Clearly, a Boroughwide target of 10% would mean that very little impact on the acknowledged high level of housing need could be achieved. The consultants recommended that a split target on the lines of that put forward in Core Strategy Policy 11 offered a better approach, and I accept that that would be most reasonable. However, I consider that the Core Strategy should still adopt a numerical total target based on the percentage figures and the Council agreed to this. The targets should not be described as "minimum thresholds" as this could mislead; "threshold" is more commonly used to describe the size of site which qualifies for affordable housing provision. Moreover, "minimum" would be contrary to the principle of flexibility. If the developer can demonstrate that a particular site could not deliver the desired level of affordable housing, perhaps because of abnormal costs, then it should be possible to negotiate a lower level of provision.
- 3.30 I understand the Council's concern that the viability assessment was undertaken at a time when the housing market was depressed. It wishes to secure the best possible numbers of new affordable units in the future when economic conditions are likely to have picked up. It has a toolkit to enable further site-specific viability assessments to be carried out. I agree that the policy should not imply an upper limit to the acceptable level of affordable housing. The Council proposed that targets would be reviewed through the Developer Contributions SPD but, on reflection, it seems to me that it would be necessary for new targets to be fully justified and consulted on through a DPD. I recommend further changes to the policy and text in Annexe 3 to achieve this.
- 3.31 The Council has calculated that some 160 new affordable dwellings could be provided if the target percentages for the three main settlements are applied to housing schemes. Additional affordable housing is expected from the DfG but an individual site viability assessment will be required to justify the level of provision. I am

satisfied that the Core Strategy should anticipate affordable housing on the DfG in excess of the 20% target for Wigston as this is a sizeable, greenfield site expected to be developed post-2017, by when the housing and financial markets should be more settled. The "in excess of 20%" figure provides guidance for developers. As this is "anticipated" and not "required", I am satisfied that it allows flexibility, should viability assessment demonstrate that the level is not attainable at the time. I recommend that the proposed targets and information are included in a revised Policy 11, and that the supporting text is adjusted.

3.32 The policy provides for affordable housing development to be sought on all sites of 10 dwellings or more. Having read the consultants' study, I am satisfied that this site size threshold (below the national indicative minimum size of 15) has been justified with reference to viability. The approach to off-site contributions is also reasonable and in line with PPS3. Subject to the above changes, I conclude that the affordable housing policy is sound.

Recommendations

The following changes are required to make the DPD sound:

Policy 11 should be changed to include numerical as well as percentage targets for affordable housing, to remove references to "minimum threshold targets" and to refer to monitoring and future review [CC9 and IC2].

The supporting text of paragraphs 7.16, 7.18, 7.19, 7.21 should be changed [CC10 and IC3].

Issue 5 – Whether the Core Strategy provides satisfactorily for a mix of housing to support a wide variety of households, and meets the particular accommodation requirements of gypsies and travellers.

3.33 Core Strategy Policy 12, Housing Needs of the Community, was developed with the Council's Housing Services Manager and based on the findings of the SHMA, with reference also to the Leicestershire Supporting People Strategy and Leicestershire Extra Care Housing Strategy. The Council put forward changes to the explanatory text for this policy following the hearing sessions. I consider that these changes should aid implementation of the policy, ensuring the soundness of this section of the Core Strategy as follows:

- changes to text and tables would make them more locally distinctive and give developers a better understanding of what is being sought;
- the new text will refer to the significant Asian community living in the Borough, and the need for special and adapted accommodation.

- 3.34 The Core Strategy aims to regenerate the Borough's three main centres with mixed uses, including some 393 new dwellings. These are expected to provide approximately 270 apartments and only about 120 family homes. Recent housing completions in the Borough show a predominance of flats over houses and apartments (Residential Land Availability Study 2009 [CD9/04]). I have considered whether concentrating new development in the centres in the short-term future, and delaying the DfG which might provide more family accommodation, is inconsistent with promoting a good range of house types. However, it is clear to me from the SHMA that a range of types and size of new dwellings is required in the Borough. Moreover, the Housing Trajectory shows that housing in the town centres will start to be delivered in 2014/5 and will represent only some 30-40% of housing completions each year until 2017/8 when the DfG will begin to contribute to housing supply. I am therefore satisfied that the spatial strategy would not undermine the ambition to achieve a variety of housing types, and that Policy 12 is sound.
- 3.35 At the time of the Hearings, the strategic context for Policy 13 concerning gypsy and traveller sites was set by Circular 1/2006, Planning for Gypsy & Traveller Caravan Sites, and the RSS. Core Strategy Policy 13 aims to provide 1 residential pitch by 2012 to accord with RSS Policy 16 and Appendix 2. There was agreement at the Hearings that the target in the Core Strategy should be modified to make clear that "at least" 1 residential pitch would be provided. However, following the Secretary of State's letter of 27 May 2010 concerning the abolition of Regional Strategies, the Council indicated that it wished the first sentence of Policy 13 to be deleted, thereby removing the commitment to allocate land for 1 residential pitch through the Allocations DPD. The Council had concerns about the ability to deliver a sustainable site within Oadby and Wigston, and considered that opportunities to meet the need might arise in adjoining authorities.
- 3.36 The pitch requirements are derived from the Leicestershire, Leicester & Rutland Gypsies' and Travellers' Accommodation Needs Assessment [CD2/05]. Even though they are based on estimates of needs arising rather than where they should be met, the gypsy and travellers' representations to the Core Strategy made no suggestion that provision of "at least a single pitch" in Oadby and Wigston would be unsuitable or unwanted. The RSS has now been revoked which means that the Borough Council no longer has to allocate land in line with the East Midlands Regional Plan. I recommend that the reference to that plan is removed from the policy. However, the best local evidence supports the provision of at least 1 gypsy and traveller site in the Borough. Policy 13, with site identification through the forthcoming Allocations DPD, should ensure delivery.
- 3.37 The criteria-based policy is intended to assist site identification as stated in paragraph 7.41. The Circular requires it to be "fair, reasonable, realistic and effective in delivering sites" and not to rule

out or place undue constraints on the provision of residential pitches. With that in mind, I consider that the criteria should be amended so as not to insist that development is in or adjacent to the PUA. It should be clarified that compliance with national design guidance and connections to mains sewerage may not be achievable, and to state that residential caravans would not be expected to satisfy Policy 8 on Climate Change and Renewable Energy. With these changes to Policy 13 and its supporting text, I conclude that it would be sound and provide appropriate support for site identification for gypsy and traveller accommodation in the future Allocations DPD.

Recommendations

The following changes are required to make the DPD sound:

The text of paragraphs 7.29 and 7.32 onwards should be changed and extended [CC11].

Policy 13 and the supporting text from 7.39 onwards should be changed and extended [CC12 and IC7].

Issue 6 – Whether the Core Strategy makes satisfactory provision for the local economy to grow and prosper.

3.38 PPS4: Planning for Sustainable Economic Growth was published after the Core Strategy was submitted but I am satisfied that the DPD is consistent with the new national policy approach. The Core Strategy is based on evidence from the Oadby and Wigston Employment Land Study 2006, and the Leicester and Leicestershire Housing Market Area Employment Land Study (PACEC 2008) [CD4/02]. It plans for sustainable economic growth as expected by Policy EC2 of PPS4. The Core Strategy was also written in general conformity with RSS Policy 20, Regional Priorities for Employment Land, which promoted collaborative working on employment land reviews and the allocation of a range of sites in sustainable locations. The Core Strategy uses the PACEC Study, which has been endorsed by Leicester City Council and all the Leicestershire Districts, as the basis for figures for office floorspace, industrial and warehousing land.

3.39 The proposed revised Chapter 3 includes a section, The Economy, which usefully outlines the existing situation, and the challenges for the Borough are described more fully in Chapter 5. In the absence of sufficient suitable land within the Borough to meet its future needs for economic development, much of the required additional land will be provided in neighbouring areas, ie the new business quarter in the City of Leicester and in the sustainable urban extensions in Blaby and South Charnwood. I consider that the approach is sensible given that Oadby and Wigston lacks prospective new sites, and demonstrates good, collaborative working. The Core Strategy should, however, specify accurately where the additional land will be found, and a change to paragraph 5.20 will achieve this.

- 3.40 The Core Strategy goes on to propose that future employment land needs within the Borough will be met on existing employment land, and in the town and district centres. Identified employment areas were a feature of the former Local Plan and their protection is important as the Borough is built up and predominantly residential in character. An employment land and premises review is intended to inform the forthcoming Allocations DPD. Ideally, the suitability of the existing identified employment land would have been assessed before the Core Strategy was formulated and published.
- 3.41 As it is, the scale of the need for replacement employment land and the availability of sites no longer suitable for industrial use is not known. The biggest drawback is that there is uncertainty as to how much employment land should be provided in the DfG. That is intended to be a mixed use development, which will provide some replacement land for businesses currently occupying unsuitable sites.
- 3.42 David Wilson Homes, promoting the DfG south-east of Wigston, point out that they are experienced in mixed use developments and not solely housebuilders. They proposed that 2.5has of employment land would be appropriate. The Council, advising that there is no established methodology for identifying a correct balance between housing and employment on such sites, has proposed 3.5has, which would be equivalent to just under a third of the land required for housing development. I consider that Core Strategy Policy 1 should provide guidance as to how much land would be developed for employment purposes in the DfG. It should be re-written as agreed following the Hearings to state that in the region of 2.5has-3.5has be used for this purpose, since this range represents the best current estimate as to what is achievable, and provides flexibility.
- 3.43 I accept that there is a need to continue to protect identified employment areas from alternative use until the land and premises review has been concluded. In order to achieve this, Policy EM1 of the Local Plan should be saved, and Appendix 3 of the Core Strategy should be changed to ensure this. It would assist the reader if 'identified employment areas' were defined in the glossary.
- 3.44 The Boroughwide figures in Policy 1 for office floorspace, industrial and warehousing land, and freehold land and premises are evidenced by the PACEC Study and Oadby and Wigston Employment Land and Premises Assessment by BE Group. Chapter 8 of the Core Strategy provides a breakdown of office floorspace between Wigston and Oadby centres which, in my opinion, should be included in Policy 2. This would be consistent with PPS12, paragraphs 4.1(3) and 4.5. The figures are supported by masterplanning work, and will be carried through in the proposed Area Action Plan.
- 3.45 In addition to the forthcoming Town Centre Masterplans, and Allocations DPD, which should assist the delivery of employment policy, the Core Strategy envisages closer working relationships with local employers. The recently convened Employment and Enterprise

sub-group of the Local Strategic Partnership will implement the Oadby and Wigston Economic Development Strategy.

3.46 I consider that the presence of the University of Leicester is an asset to the Borough and the local economy. The University seeks to adopt a long term framework for future development, and its growth and success should be encouraged. Whilst Core Strategy Policy 3 would provide a suitable starting-point for a plan for the University, support for its enhancement should be emphasised more strongly in the Core Strategy. Changes to paragraph 5.87 as well as to Chapter 3 of the Core Strategy as discussed at the Hearings would achieve this. As long as the specified changes are made, I conclude that the Core Strategy would enable the local economy to grow and prosper and is sound in this regard.

Recommendations

The following changes are required to make the DPD sound:

Chapter 3 and paragraph 5.87 should be amended to describe the importance of the University of Leicester and outline support for its plans for modernisation and future development [CC1 & CC13].

Policy 1 should be changed to state that the DfG will include in the region of 2.5 to 3.5has of new B1 &/or B2 employment land [CC7].

Paragraph 5.20, last sentence, should be amended to correctly state where the need for new employment land will be met [CC14]

Paragraphs 5.23 and 5.58 should be revised to explain the employment land policy for the DfG [CC15].

Policy 2 should be expanded to refer to the target of office floorspace to be provided overall and in the centres of Wigston and Oadby [CC16].

Appendix 3 should be changed to remove the reference to Local Plan Policy EM1. EM1 should remain as a saved policy [CC17].

The Glossary should be extended to include a definition of identified employment areas [CC18].

Issue 7 – Whether the policies for the centres of Wigston, Oadby and South Wigston are founded on good evidence of town centre hierarchy and the need for retail and other town centre uses

3.47 The Core Strategy describes a hierarchy of centres within and beyond the Borough boundary. Paragraph 5.79 of the Core Strategy explains that the definitions of city centre, town centre etc comply with those used in PPS6. I am satisfied that they also comply with definitions in the more recent PPS4, Annex B. Figure 7 shows Leicester as the city centre, Wigston as a "main town" to be re-named a "town centre" [Annexe 2 to this report], and Oadby and South Wigston as district centres. This accords with the hierarchy

shown in the Leicester Principal Urban Area Strategic Planning Context [CD2/12].

- 3.48 The Glen Road/Highcroft Avenue centre, described in early Core Strategy documentation as a neighbourhood centre, is shown in the submitted version as a local centre. I have had regard for the range of facilities and services available, as well as the layout and form of this shopping centre. It is dominated by Sainsbury's and its car park, and the supermarket is not well connected to the parade in Highcroft Avenue. I consider that it is very different from the district centres of Oadby and South Wigston which are based on traditional High Streets accessible to and at the heart of well established settlements. I conclude that, even if Sainsbury's is to be extended, the Glen Road/Highcroft Avenue centre is not comparable with Oadby and South Wigston, and its definition in the Core Strategy as a local centre is appropriate.
- 3.49 I consider that Policy 2 should set out how much new retail development is planned for each of the main centres, so that the Core Strategy gives a clear steer to developers and other stakeholders as to the way forward. Floorspace figures derived from the Oadby & Wigston Retail Capacity Study [CD10/04] are already included in Chapter 8 of the DPD. The study was published in October 2008, and its projections for retail expenditure which informed calculations of capacity for additional shopping floorspace were based on medium to long term growth rates put forward in the Experian Retail Planner Briefing Note, No 5, November 2007. Hence, the forecasts took no account of the subsequent downturn in the economy.
- 3.50 Experian has reviewed and substantially reduced its estimates for growth in future retail expenditure. It was pointed out that Leicester City's Highcross Shopping Centre opened in Autumn 2008 offering an excellent range of comparison goods and more competition for shops in Oadby and Wigston. Particular concerns were raised about the economic viability and therefore the deliverability of new retail floorspace in Oadby. I have considered whether this evidence means that the figures for retail floorspace given in Chapter 8 of the Core Strategy are unsound.
- 3.51 The Retail Capacity Study advises that the forecasts are intended to be exploratory rather than prescriptive, giving an indication of likely order of magnitude of future capacity, if forecast trends are realised, rather than absolute statements of need or rigid limits for future growth. I consider that it is uncertain how the demand for retail goods will change over the next 15 years, and difficult to predict the length and overall impact of the recent economic downturn. Nevertheless, good planning requires that a best estimate is made. Whilst Experian's current trend based forecasts paint a gloomy picture, they may not reflect long-term reality for Oadby & Wigston.

- 3.52 PPS4, published in December 2009, encourages proactive planning to promote competitive town centre environments and provide consumer choice (policy EC4.1). The Retail Capacity Study for Oadby & Wigston contains forecasts based upon existing shopping patterns and makes no allowance for any increases in town centre market share. As the Borough's centres currently only retain 18% of available expenditure from the catchment area, there is significant scope for 'clawback' through new retail attractions in the Borough. The Oadby and Wigston Town Centre Masterplans Area Action Plan is expected to include a package of new facilities, not just retail floorspace, and environmental improvements, which should facilitate some 'clawback'. The end result could be a more sustainable network of shopping centres with reduced long-range travel.
- 3.53 I accept that the figures in Chapter 8 for retail floorspace for the centres of Wigston, Oadby and South Wigston should remain and be shown in Policy 2, though defined as rounded figures and expressed as approximate targets. The Council has confirmed that the figures in Chapter 8 are gross, and this should be clarified. Whilst the floorspace targets appear ambitious in the current climate, I am confident that they can be taken forward with the support of stakeholders and the community through the Area Action Plan.
- 3.54 Two further changes should be made to the wording of Policy 2, to ensure that the sequential approach is in accordance with PPS4, policy EC5.2, and to ensure that the viability of local centres as well as town and district centres, is protected. With all these changes, I conclude that Policy 2 will be sound and should enable the future regeneration of Wigston, Oadby & South Wigston centres.

Recommendations

The following changes are required to make the DPD sound:

Amend Figures 6 & 7 [CC19].

Policy 2 should be changed to indicate approximately how much gross retail floorspace will be provided in the centres; to correct the description of the sequential test; and to add a reference to local centres [CC16].

Issue 8 – Whether the policies to combat climate change, promote renewable energy, and address flood risk and the water environment are consistent with national policy and are sound.

- 3.55 On Policy 8 which concerns climate change and renewable energy, the relevant national policy is contained within the PPS1 Climate Change Supplement and PPS22: Renewable Energy. Consultation on a PPS: Planning for a Low Carbon Future in a Changing Climate was published in March 2010, but it is currently uncertain whether or not this will be taken forward and, if it is, what will be its final form. That document begins with a discussion of the "Changing Context", and it is undoubtedly a rapidly moving area of national policy.

- 3.56 As a consequence of the speed of change to climate change and renewable energy policy, and the evolution of Building Regulations and the Code for Sustainable Homes, the Council put forward changes to Policy 8 for discussion at the Hearings. These were intended to give the policy greater longevity. I agree that the second and third paragraphs of the policy, which refer to the Code for Sustainable Homes and the BREEAM standards for non-residential development should be replaced with a more general requirement to meet the current nationally prescribed sustainable buildings standards for energy efficiency. Reference would also be made in the policy to a revised Renewable Energy Technology and Energy Efficiency SPD which will inform the future content of Sustainability Statements. Changes to Policy 8 and the supporting text reflecting these points should ensure that the DPD is sufficiently robust and flexible to secure sustainable development in accordance with the latest, prevailing Government policy, and is sound. I recommend that the reference to the East Midlands Regional Plan shown in the Council's revised paragraph 6.14 is removed.
- 3.57 PPS25: Development and Flood Risk requires Local Development Documents to include policies to direct development away from areas at risk of flooding. A strategic flood risk assessment was undertaken to inform preparation of the Core Strategy, and the potential risk of flooding was a key factor in considering options for the DfG. However, the Environment Agency sought changes to Core Strategy Policy 9 to secure more accurate compliance with PPS25, including the revisions to it in March 2010. These changes would make more explicit the impact of climate change on the water environment which developers would need to consider, and would explain the purpose of water cycle studies better. In addition, the date of PPS25 should be changed. I endorse these changes as necessary to secure an effective and consistent policy and text, as well as a cross-reference to Policy 5 to emphasise the links between managing flood risk and green infrastructure and habitat creation /protection. I conclude that, with these changes, Policy 9 will be sound.

Recommendations

The following changes are required to make the DPD sound:

Paragraphs 2 and 3 of Policy 8, and the text of paragraphs 6.14 – 6.28 be changed to provide a flexible policy [CC20 and IC5].

Policy 9 and supporting text to paragraph 6.39 should be changed to achieve compliance with PPS25 as revised [CC21].

Issue 9 – Whether the Core Strategy provides satisfactorily for open space, green infrastructure and the countryside, with particular reference to Green Wedges and Kilby Bridge.

- 3.58 Core Strategy Policy 6 refers to Green Wedges. Green wedge policies were introduced informally in Leicestershire in 1959, featured in the Leicestershire Structure Plan (1987), were included in Oadby and Wigston Local Plan (1999) and referenced in paragraph 4.2.18 of the East Midlands Regional Plan. Though now revoked, that succinctly described their “useful strategic planning functions in preventing the merging of settlements, guiding development form, and providing a ‘green lung’ into urban areas, and acting as a recreational resource they can serve to identify smaller areas [than Green Belts] of separation between settlements”. Green wedges are, I recognise, a locally distinctive feature of the Leicester and Leicestershire area.
- 3.59 In order to review existing, and consider the creation of new green wedges, The Leicester and Leicestershire Green Wedge Review Joint Methodology was agreed by seven LPAs in August 2009. Thus, work on a review was in progress when the Core Strategy was submitted but does not underpin it. However, I am satisfied that Oadby and Wigston’s approach to green wedges is in harmony with that of neighbouring authorities. The purposes and functions of green wedges are clear, and I see no need to extend the range of permitted uses. I recognise the benefits to place-shaping, to biodiversity and providing local people with formal and informal open space which green wedges bring to Oadby and Wigston.
- 3.60 Their broad extent is shown on Figures 6, 7 and 11 of the Core Strategy and detailed boundaries are to be set in the Allocations DPD. This planning approach was accepted by the Inspector who examined the Hinckley and Bosworth Core Strategy. It was argued that, if boundaries had been reviewed before submission, significant amounts of land could have been removed from the green wedges (eg adjoining Palmerston Way close to the A6) without compromising the overall objectives of the policy. I have considered whether such land releases might have led to a different Core Strategy. However, the Council has undertaken a SHLAA and identified an ample supply of housing sites, and the PACEC study suggested a need for only a small amount of new employment land. I have insufficient evidence that significant opportunity sites have been missed because the boundary review is not complete. I conclude that Policy 6 is justified and deliverable.
- 3.61 Local Plan Policy L10 which defines the extent of green wedges on the Proposals Map should be saved until the review of boundaries is complete and the Allocations DPD is adopted. Appendix 3 to the Core Strategy should be amended to achieve this. Paragraph 6.5 of the Core Strategy raises the prospect of a new green wedge, but it is clear that an extension to the existing one rather than a new green wedge is intended. The wording should be clarified accordingly.

- 3.62 I have had full regard for the contribution which trees and existing green areas make to the character and quality of the environment in South Wigston. However, the Core Strategy is not the place for detailed policies and proposals for their safeguarding. In my opinion, Policy 5 should provide adequately for the protection and enhancement of green infrastructure in an even-handed fashion throughout the Borough and beyond. As written, it complies with PPS7, and PPS9: Biology and Geological Conservation, and is underpinned by a Phase 1 Habitat Survey and Biodiversity Audit. A Green Infrastructure Plan, Biodiversity Action Plan and Nature Conservation Strategy have also been prepared, and these should aid implementation. The Council agreed at the Hearings to minor wording changes to Policy 17 and Spatial Objective 12 (Annexe 2).
- 3.63 The supporting text to Policy 7 should be clarified to state that an area of countryside will be released to enable the DfG to be developed; precise boundaries will be set in the Allocations DPD.
- 3.64 An audit of the Borough's open space, sport and recreation facilities including an assessment of the quality of existing open space has informed Policy 17. The study led to quantitative and access standards for open space and built facilities. The approach is consistent with PPG17.
- 3.65 Revitalisation of the Grand Union Canal with tourism development around Kilby Bridge, taking account of wider landscape and biodiversity issues, is part of Policy 17. Paragraph 7.78 advises that a regeneration scheme will be developed. British Waterways seeks to deliver a waterside, mixed use development. In order to attract investment and be financially viable, the agency contends that this should be more substantial than the "small scale leisure, tourism and canal-based development" referenced in paragraph 5.91. A residential-led regeneration scheme with about 12 new dwellings is envisaged.
- 3.66 The River Soar & Grand Union Canal Emerging Strategy 2009 [CD11/19] identifies Kilby Bridge, South Wigston and Blaby as a hub for redevelopment. However, the "Character Zones" map on Page 26 of that document shows Kilby Bridge as a rural area, in contrast to other suburban fringe, urban waterside and city waterfront areas. Kilby Bridge is outside the PUA and within the countryside, where new housing development would not normally be permitted. It is close to a SSSI and wildlife sites at Barn Pool Meadow, and is located in the floodplain of the River Sence. The Environment Agency cautioned that any development at Kilby Bridge must be appropriate to its position in the flood zone. The impact of new development on the local environment would need to be subject to sustainability appraisal, and public consultation on the matter would be needed, before it could be promoted in the Core Strategy. I consider that the Core Strategy is sound as written. It aims to balance modest

regeneration with sustainability and conservation in this sensitive and rural location, and should not be changed.

3.67 Chapter 8 of the Core Strategy indicates how the policies for open space, green infrastructure and the countryside are to be delivered, referencing the Green Infrastructure Plan and other plans, key stakeholders and who will be responsible for delivery. The Council pledges to work with those organisations in funding outcomes. British Waterways should be referenced in Appendix 2 of the Core Strategy as a delivery partner in establishing footpath links. I conclude that the Core Strategy's policies in respect of open space, green infrastructure and the countryside are sound provided they are changed as shown below.

Recommendations

The following changes are required to make the DPD sound:

Paragraphs 6.5 & 6.6 (supporting Policies 6 & 7) should be changed to clarify how Green Wedges and countryside will be treated when the DfG is implemented [CC22].

Appendix 3 should be altered to delete the reference to Local Plan Policy L10 [CC23].

Appendix 2 should be changed to refer to British Waterways as a delivery partner [CC33].

Issue 10 – Whether the Core Strategy has had sufficient regard for transport when forming its development proposals, and is promoting sustainable transport adequately.

3.68 The Borough's highway network includes main radial routes into Leicester City (A6 and A5199), a ring road and east-west route from South Wigston to Oadby (B582), which are currently subject to congestion. However, the Assessment of Highways & Transportation Implications by Ove Arup & Partners Ltd [CD6/01] concludes that the traffic impacts of planned future development in the Leicester PUA would be significant but small. The most notable traffic impact is predicted for the B582 east-west route, with adverse effects in terms of congestion, delay and environmental quality at junctions.

3.69 The Arup study sets out a general strategy which begins by proposing to maximise the efficiency with which existing infrastructure is used. This correlates with the approach of Planning Policy Guidance 13: Transport, to encourage behavioural change so as to reduce the need to travel, restrict and manage car usage, and promote and improve public transport, and encourage cycling and walking. The Core Strategy seeks to regenerate and enhance the three existing centres, to direct new development to the PUA and focus on a single DfG close to the A5199 radial route. In my view, this spatial strategy is consistent with minimising the impact of new

development on the existing network and limiting the requirement for new transport infrastructure. Whilst the DPD gives little coverage of safe cycling routes and walking/cycling on the edge of the PUA and in the Green Wedges, I consider that these issues can be addressed more satisfactorily in subsequent more detailed DPDs or SPD.

- 3.70 Core Strategy Policy 4 is supportive of Policies 1 and 2. However, it is generalised in content, with more specific schemes referenced only in supporting text. Paragraph 5.98 refers to a new public transport interchange in Wigston and a bus service from the DfG to Leicester. Policy 4 should be changed so that it includes major transport initiatives currently referenced only in supporting text.
- 3.71 Paragraphs 5.101-4 explain the origins and significance of the Eastern District Distributor Road (EDDR). This has been a prospective new road since the 1930s, and its relevance and deliverability in modern times has to be re-considered. The third paragraph of Policy 4 could be interpreted to mean that any old road scheme will be protected through the designation of land, even if it is no longer justified or realistic/affordable. However, the County Council as Highway Authority considers that the route for the EDDR could be developed in the plan period to provide access for sustainable transport modes. Given this support, and as the A6 and east-west routes carry much traffic, I am content for the scheme to be retained in the DPD. However, as agreed following the Hearings, Policy 4 should be written to refer specifically to the EDDR and paragraph 5.104 should be amended to indicate that EDDR is a potential rather than a proposed transport route. In addition, the description of the EDDR in Chapter 3 should be carefully worded to reflect current circumstances.
- 3.72 Policy 2 which sets out development proposals for the three centres includes a reference to underground parking. Parking in each of the centres needs to be planned in a holistic and principled way so that provision is consistent with promoting sustainable and attractive places. As agreed by the Council, the reference to underground parking should be omitted from Policy 2 and a more comprehensive statement on parking be added to Policy 4, which can provide a guide for masterplans for the central areas.
- 3.73 Changes to paragraph 5.98 and Appendix 2 are also necessary to update and reflect the current position regarding a new public transport interchange in Wigston; references to "Bull Head Street" should be removed.
- 3.74 I have considered whether the DfG is capable of being delivered, given the need for new road and public transport access. Some 2.5-3.5ha of employment land is planned, and these figures were not used to calculate traffic generation in the Waterman Boreham Ltd feasibility study [CD14/02]. That study focused on a residential development of 450 dwellings. It proposes two new accesses onto Newton Lane and the A5199. Concerns were raised that the mixed

use development with a significant employment land element would put too much additional traffic on the already constrained junction of Newton Lane and the A5199. It was also suggested that the proposed new roundabout on the A5199 would not be feasible as it would require much land and be located in the floodplain.

- 3.75 Furthermore, a comparative study of the DfG at Wigston with the alternative, on land south of Oadby [CD14/07], concluded that the latter could be served by a new road from the A6 relatively easily, and that good accessibility by public transport and foot/cycle could be achieved there. The Highway Authority, however, has been engaged in assessing the impact of the DfG, and is satisfied that the land at Wigston can be accessed from the A5199 by way of a more compact new roundabout without impinging on the floodplain. It has not found that capacity at the Newton Lane/A5199 junction should prevent the development going ahead.
- 3.76 Doubts were also raised about the ability to provide bus services across the DfG, given the pattern of land ownership. There was alleged to be limited scope for developing direct walking routes to the A5199. Discussions with public transport operators have begun, although it seems to me that improvements to bus services and walking routes are matters which should be addressed at the masterplanning stage. This is because factors such as density of development, site layout and precise mix of uses will influence the transport requirements and arrangements for the area.
- 3.77 I am satisfied that the transport implications of the DfG have been probed sufficiently, so that the DfG is justified and should be effective. Having regard for my conclusions on Issue 2 above, Spatial Objective 6 (paragraphs 4.22 and 8.11) should be amended to delete references to "a tram line" and "proposed Pennbury tram line". The Council proposed that they should instead refer to "mass rapid transit, such as a tram". Overall, I conclude that the Core Strategy has had sufficient regard for the links between development and transport, and has put in place policies to secure a more sustainable transport system in future. With the changes I have described, the DPD will be sound.

Recommendations

The following changes are required to make the DPD sound:

Spatial Objective 6 (paragraphs 4.22 and 8.11) should be amended [CC6 & CC24].

Policy 2, paragraph 4, should be changed to delete the reference to provision of underground parking schemes [CC16].

Policy 4 and paragraph 5.104 should be re-written [CC25].

On the EDDR, Chapter 3 should be amended as shown in new paragraph 3.40 [CC1].

Paragraph 5.98 and Appendix 2 should not refer to "Bull Head Street" for a public transport interchange [CC26].

Issue 11 – Having regard for PPS12 which advises that delivery is central in a Core Strategy, whether this DPD has focussed sufficiently on delivery and demonstrated an effective way forward

- 3.78 Policy 3 of the Core Strategy entitled Regeneration Schemes indicates that masterplans and development briefs will play an important role in taking forward the larger development schemes. It helpfully itemises what will be expected of these more detailed plans. However, as drafted the policy is very generalised, and I consider that it should be made more locally specific and refer to the DfG and the three centres where major development is intended.
- 3.79 Chapter 8 of the Core Strategy describes a delivery and monitoring framework. Appendix 2 contains an Infrastructure Plan which has been developed in accordance with the Planning Advisory Services' Infrastructure Planning and Delivery, 2008, and following consultation with the Local Infrastructure Partnership. This Partnership includes members of a wide range of public and voluntary sector organisations. The Local Infrastructure Plan and Green Infrastructure Plan have been prepared since the Core Strategy was drafted, and Policy 10 and paragraph 8.5 should be revised as agreed to recognise this.
- 3.80 The tables in the Core Strategy show key outcomes against each spatial objective, indicating how they are to be delivered and who will have responsibility. Indicators and targets which are consistent with policies in the DPD are specific and capable of being monitored. Costs, phasing and possible funding sources are itemised in Appendix 2. The Leicester and Leicestershire Housing Market Area Authorities Growth Infrastructure Assessment 2009 has been used to estimate funding for longer term projects. I consider the approach to be logical and sound.
- 3.81 A Developer Contributions Supplementary Planning Document is shown in the LDS and planned for adoption in Feb 2011. Core Strategy Policy 10 addresses community infrastructure, indicating that developer contributions will be used to support development or mitigate harmful impacts. Supporting paragraph 7.10 lists examples of infrastructure which could be funded thus. Paragraph 7.12 refers to the Community Infrastructure Levy (CIL) but is not up-to-date as it was written in October 2009. CIL legislation was enacted in April 2010 and its application will also affect the future use of planning obligations under s106. The Council proposed changes to paragraphs 7.8, 7.9 and 7.12 which I support, to reflect current and likely future circumstances regarding developer contributions.

- 3.82 Consultation for the Core Strategy included officers from Leicestershire Constabulary. Leicestershire Police is a participant in the Local Strategic Partnership. However, the Constabulary seeks late changes to Appendix 2 of the Core Strategy to add their estimates of premises and equipment requirements for policing relating to growth in households, office space and employment land. Paragraph 7.10 of the Core Strategy gives as an example where developer contributions could be appropriate for "crime prevention and community safety provision". I accept that additional references to policing and safety could usefully be made to Policy 14 and its supporting text to refer to security in layout and design, and complying with police guidance documents. A change to Policy 10 to state that developer contributions will be sought as well as used would add clarification.
- 3.83 However, I am not satisfied that the proposed 160m² extension and refurbishment of Wigston Police Station and capital equipment costing some £700,000, has been fully justified. The sum has been derived from the application of a general formula to the household and employment growth figures rather than from an assessment of local need. A reference to enhanced policing infrastructure could usefully be added to Appendix 2, but the precise solution and costs should not be specified. The infrastructure requirements should be based on local need arising from growth, not just in the DfG. It is too soon to specify extensions to Wigston Police Station. The addition to Appendix 2 should be added to the section headed "Leicester PUA/Borough Wide Infrastructure". A method for determining the level of any developer contributions should be developed collaboratively, and details on how they would be spent included in the forthcoming Developer Contributions SPD.
- 3.84 Detailed consideration of Chapter 8 and Appendix 2 reveals that a number of changes to the tables are necessary to achieve internal consistency, to reflect changes recommended elsewhere in the DPD and to update or correct the information. All the changes in CC33 are needed to ensure that the Core Strategy can be implemented effectively and unambiguously. Overall, I conclude that the approach to delivery and monitoring is consistent with PPS12, and is sound.

Recommendations

The following changes are required to make the DPD sound:

Paragraphs 7.8, 7.9 & 7.12 should be changed to reflect the current position following the enactment of CIL Regulations [CC27].

Policy 10 and Paragraph 8.5 should be changed principally to reflect the fact that the Local Infrastructure Plan and Green Infrastructure Plan have been prepared [CC28].

Add a new bullet to Policy 14, to read "achieves layout and design that is safe, secure and enhances community safety" [CC29].

Add a sentence to paragraph 7.47 to refer to the Association of Chief Police Officers' Secured by Design Initiative and the Home Office and ODPM Safer Places guidance [CC30].

Add a new line to Appendix 2 of the Core Strategy to address "Enhancement of Policing Infrastructure" [CC31].

Policy 3 should be made more locally distinctive [CC32]

Tables in Chapter 8 and Appendix 2 should be amended [CC33].

4 Overall Conclusion

4.1 I conclude that, with the amendments I recommend, the Oadby & Wigston Core Strategy DPD satisfies the requirements of s20(5) of the 2004 Act and meets the criteria for soundness in PPS12.

Jill Kingaby

INSPECTOR