

# **Local Plan Spatial Strategy Submission Statement**

1. The following statement has been produced in response to representations made via the Council's Local Plan Pre-Submission Consultation in relation to the Spatial Strategy for Development within the Borough. The purpose of this statement is to respond specifically to representations made in relation to:
  - Local Plan period timeframe
  - The number of new homes being provided over the Plan period
  - Direction for Growth Area allocations

## **Local Plan Period timeframe**

### **Summary of issue**

2. A number of representations suggested that the Council's Local Plan period should be 2011 to 2036. Reference was made to the Leicester and Leicestershire Strategic Plan period and its relationship with the Local Plan period.

### **Council response**

3. During the earlier stages of the Council's Local Plan preparation, namely Key Challenges stage and Preferred Options stage, the Council consulted upon a Plan that covered the period from 2011 to 2036. This was to enable the flexibility to enable the Plan to extend to 2036 if the Plan's evidence, which was still in the process of being compiled at the time, indicated that this would be possible, as it would be the evidence that determined the appropriate Plan period. Taking into account the evidence and in collaboration with all of the other Local Authorities within the Leicester and Leicestershire Housing Market Area, including the two highway authorities of Leicester City Council and Leicestershire County Council, it was concluded that the Council only had the evidence base to robustly justify a Plan period from 2011 to 2031. It was also found that evidence was not sufficiently robust to justify a Plan beyond 2031.
4. In January 2017 the Leicester and Leicestershire Housing Market Area (HMA) authorities published the Leicester and Leicestershire Housing and Economic Development Needs Assessment (HEDNA). The HEDNA set out the housing and employment Objectively Assessed Needs (OAN) for each authority area within the HMA, as well as the total HMA OAN for housing and employment<sup>1</sup>, for the period 2011 to 2031 and the period 2011 to 2036.

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<sup>1</sup> The Housing and Economic Needs Assessment (HEDNA) has been adopted as the most up to date evidence base relating to housing and employments needs by all of the local authorities within the Leicester and Leicestershire Housing Market Area. The HEDNA has also been tested at North West Leicestershire District Council's Local Plan Examination in Public and has been found sound and robust.

5. In order to evidence that the HMA could fulfil its OAN for housing and employment, testing, in particular relating to transport and highway capacity was undertaken. This testing concluded that up to 2031 the HMA OAN's set out within the HEDNA could be accommodated (subject to appropriate highway and transport infrastructure mitigation works) within the existing highway and transport infrastructure network of the HMA. However, beyond 2031, it concluded that large scale highway and transport infrastructure would be required to accommodate any further growth. This was particularly relevant to the Leicester Principal Urban Area (PUA) and the area to the south and east of Leicester. Due to this, it was decided by all of the local authorities within the HMA that an aligned growth strategy was required for future growth within the HMA post 2031. Given the large scale / nature of the infrastructure that will be required (for example the A46 Expressway), large scale development opportunities will need to be identified within the HMA, and thus planned for. It was considered that planned, coordinated growth would be the most appropriate method for delivering growth post 2031, rather than sporadic unplanned, opportunistic development. This led to the preparation of the Leicester and Leicestershire Strategic Growth Plan (SGP).
6. The SGP seeks to deliver sustainable growth up to 2050 within the HMA but deals with the time period 2011 to 2031 and 2031 to 2050 very differently. As Local Plan paragraph 1.5.2 suggests *'pre 2031, the housing and employment Objectively Assessed Needs for the Leicester and Leicestershire HMA, set out within the HEDNA, will be delivered through each of the local authorities individual Local Plan's. The Strategic Growth Plan therefore 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'*.
7. In addition, the Strategic Growth Plan 'Leicester & Leicestershire 2050: Our Vision for Growth – Consultation Draft'<sup>2</sup> reiterates the relevance and relationship of individual Local Plan's and the Strategic Growth Plan. The consultation document states that for the period 2011 to 2031 analysis demonstrates that much of the HMA housing and employment land is already planned for. It goes on to suggest that only Leicester City Council has declared that it will be unable to meet its housing needs, however that the HMA is confident that any shortfall in the period 2011 to 2031 can be met, including through Local Plan allocations in other areas. Regarding the post 2031 period, the consultation document states *'the conclusions of our current work indicate that, beyond 2031, decisions on the distribution of development will need to be agreed between the authorities in Leicester and Leicestershire as a whole, hence the need for a Strategic Growth Plan. The longer term strategy of the Draft Strategic Growth Plan, therefore, focuses on the period 2031-2050'*.

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<sup>2</sup> Leicester and Leicestershire Strategic Growth Plan – Leicester and Leicestershire 2050: Our Vision for Growth – Consultations Draft is on public consultation between the 11<sup>th</sup> January 2018 and the 5<sup>th</sup> April 2018.

8. Due to the highway and transport infrastructure capacity difficulties post 2031 that were demonstrated by the evidence, the Council (alongside other local authorities within the HMA that were at an advanced stage of Local Plan preparation) settled to align its Local Plan period with that of the Leicester and Leicestershire Strategic Growth Plan.
9. In addition, to further evidence the Council's Local Plan the Council (in partnership with Harborough District Council, Leicester City Council and Leicestershire County Council) commissioned Edwards and Edwards Consultancy Ltd, to produce the South East Leicestershire Transport Study. The study assessed / tested the likely cumulative impact of proposed planned growth within the Borough (as well as Harborough District) area up to 2031<sup>3</sup>. The study was undertaken in two Phases. The outcome of Phase 1 highlighted the severity of the existing congestion within the Borough along its main routes and at its key junctions. Phase 2 then assessed the impact of planned growth within the Borough (as well as Harborough District) on its main routes and at its key junctions. The study concluded that subject to identified highway mitigation works, the levels of growth planned for can be accommodated. The study also concluded that any development over and above that proposed within the Plan is likely to have significant further impacts on the local highway network, which as suggested above, is highly congested currently.
10. Upon conclusion of the Transport Study, Leicestershire County Council (as the local highways authority for Leicestershire) led on the production of a Joint Position Statement – South East Leicestershire Transport Study and Resulting Mitigation Study<sup>4</sup>. The Statement sets out the scale of growth up to 2031 within both the Borough and Harborough District, the required highway mitigation, and the way forward.
11. Importantly, the Statement states that *'strategic growth beyond that identified to 2031 in the current Local Plans, is likely to have a significant further impact on the Local Highway Network across the south east Leicester Principal Urban Area. Therefore any significant developments over and above this planned growth would require further assessment. This assessment should be done through the process of preparing subsequent Local Plans which extend beyond 2031 and with reference to the Leicester and Leicestershire Strategic Growth Plan which contains proposals that are likely to relieve existing pressures on the Local Highway Network across the south east Leicester Principal Urban Area (e.g the A46 Expressway).'*

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<sup>3</sup> The planned growth assessed / tested was that proposed within the Borough of Oadby and Wigston Local Plan 2011-2031 and the Harborough District Council Local Plan 2011-2031.

<sup>4</sup> The Joint Statement was produced by Leicestershire County Council, in partnership with Oadby and Wigston Borough Council and Harborough District Council.

## **The number of homes being delivered over the Plan Period**

### **Summary of issue**

12. A number of representations suggested that the amount of new homes being planned for should be higher and that the 'buffer' identified within the Local Plan should be allocated to specific sites.

### **Council response**

13. The Borough's Objectively Assessed Need (OAN) for housing is identified within the Leicester and Leicestershire Housing and Economic Needs Assessment 2017 (HEDNA). The housing OAN for the Borough up to 2031 identified within the HEDNA is 148 per annum over the period 2011 to 2031 (2,960 in total). The HEDNA replaced the Leicester and Leicestershire Strategic Housing Market Assessment in January 2017 upon its publication<sup>5</sup>. As well as the housing OAN for the Borough, the HEDNA identified the OAN for housing for each of the local authorities comprising the Leicester and Leicestershire Housing Market Area (HMA) and the total housing OAN for the Leicester and Leicestershire HMA. Upon publication of the HEDNA, under the Duty to Cooperate, each of the HMA local authorities confirmed its position in relation to its individual housing OAN and the HMA total housing OAN, by way of a joint statement of cooperation<sup>6</sup>. At the time of its production in January 2017, the statement illustrated that both Leicester City Council and Oadby and Wigston Borough Council could not meet their individual housing OAN (in the Borough's case due to evidence not being available), albeit in the context of the overall HMA, the housing OAN could be met. The content of the joint statement was approved by each individual local authority within the HMA.
14. Throughout the Local Plan preparation, the Borough Council produced further evidence base (for example, the Strategic Housing Land Availability Assessment 2017, the Housing Implementation Strategy 2017 and the South East Leicestershire Transport Study 2017) in particular focusing on housing delivery and the location of future development, in an attempt to meet the Borough's OAN for housing.
15. It should be noted that the Council's previous Local Plan Consultation documents set out the options for greenfield release within the Borough area. These were the Wigston Direction for Growth area; Land between Stoughton Road and Gartree Road in Oadby, Land at Cottage Farm in Oadby and Land West of Welford Road in Wigston. Each of these sites have been progressed through the Local Plan production process.

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<sup>5</sup> The Leicester and Leicestershire Housing and Economic Development Needs Assessment has been tested and found sound and robust through the recent North West Leicestershire Local Plan Examination in Public.

<sup>6</sup> The 'Joint Statement of Co-operation Relating to Objectively Assessed Need for Housing January 2017' set out how local authorities within the HMA would collaborate, as well as setting out a HMA wide 'theoretical capacity' for new homes, which exceeded the identified housing OAN set out within the HEDNA.

16. Once all of the evidence had been completed (in particular those mentioned in paragraph 14) the Council concluded that it could in actual fact meet its individual housing OAN, however only up to 2031 and provided that highway and transport mitigation works are implemented<sup>7</sup>.
17. In order to meet the Borough housing OAN, the Council has worked extremely proactively and positively. The housing OAN illustrated within the HEDNA (and subsequent Plan target) is a huge 'step change' for the Council. From planning for 90 dwellings per year since 2006, the Council is now planning for 148 dwellings per year to meet its own OAN. This huge change / shift in housing requirement has meant that the Council has identified and allocated over 60 per cent more land compared to the Core Strategy which was adopted in 2010.
18. The Council has proposed to allocate all of the options for greenfield release (as identified in the Council's Local Plan Preferred Options Consultation document), within its Local Plan. The Plan identifies three Direction for Growth Areas, one in Wigston, a direct extension to the extant Wigston Direction for Growth area, one a direct extension to the extant Cottage Farm site in Oadby, and one at Stoughton Grange in Oadby. The three growth areas identified have the capacity for at least 1,159 additional homes up to 2031. As Table 1: housing delivery for the Plan period, sets out (Local Plan page 28), with the addition of completed development, committed development, town and district centre allocations, and small site allocations, the Council can meet its housing delivery target of 2,960 over the Plan period up to 2031.
19. In addition to the above, the Council, at paragraph 4.2.11, has identified additional land for a 'buffer'. The Plan identifies the potential for 40 new homes within the Kilby Bridge Settlement Envelope, the potential for 70 new homes delivered through windfall development, and approximately 300 new homes within a Phase 3 at the Wigston Direction for Growth area. The 'buffer' identified within the Plan of approximately 400 new homes is subject to appropriate testing, in particular highway and transport infrastructure capacity.
20. Relating to the windfall element of the buffer, as illustrated at paragraphs 3.10 to 3.13 of the Council's latest Housing Implementation Strategy 2017, over a consecutive 9 year period since April 2008, 61 per cent (equating to 57 per annum on average) of the Council's total housing delivery was defined as windfalls. As suggested in the Council's latest Housing Implementation Strategy 2017, a conservative approach to a windfall allowance was taken. The Council has decided to use only 25 per cent (14) of the 57 per annum average. In addition, the Local Plan only identifies the windfall allowance for a 5 year period (14 x 5 = 70) of the entire Plan period up to 2031. It is clear that evidence suggests that many more new homes could come forward within the Plan period that would be defined as windfalls.

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<sup>7</sup> The South East Leicestershire Transport Study, and the subsequent Joint Position Statement.

21. In relation to the 40 new homes within the Kilby Bridge Settlement Envelope, the western parcel of land situated adjacent to the Grand Union Canal (within the settlement envelope) has been proposed for redevelopment by the Canal and Rivers Trust (in partnership with H2O Urban) for 16 new canal side residential dwellings, along with small scale retail and boating facilities. Through Local Plan consultations (including the most recent consultation), Wheatcroft Properties Limited has also promoted a site within the settlement envelope for up to 3 new residential dwellings. Combined, these two sites equate to 19 new residential dwellings to the western side of Kilby Bridge.
22. Taking account of the above, in order for the full 40 additional new homes at Kilby Bridge be realised over the plan period, a further 21 residential units would be delivered on the 1.37h land area to the east (of Welford Road) described by Gordon White and Hood as usable. Crude calculations illustrate ( $21 / 1.37$ ) that to fulfil the 21 units on 1.37h of land would require a density of approximately 15 dwellings per hectare. The current minimum dwellings per hectare target set out within Policy 17 Kilby Bridge Settlement Envelope, is 30 dwellings per hectare.
23. Therefore, the Council considers that the proposed settlement envelope defined within the Local Plan has sufficient capacity to accommodate up to 40 dwellings over the Plan period.
24. Relating to the potential for approximately 300 new homes at Phase 3 of the Wigston Direction for Growth Area, the land owners / promoters have indicated that they could provide a further 200 new homes, amounting to the potential for approximately 500 in total. As suggested earlier, due to the constrained and congested nature of the Borough's highway network any development over and above that allocated within the Local Plan (up to 2031) would be subject to highway testing that took account of cumulative impact and not just site specific impact, as referred to in paragraph 8.
25. In terms of housing delivery over the Plan period up to 2031, the Council, as illustrated within Figure 1 – Local Plan Housing Trajectory of the Local Plan, is confident that it can fulfil its Plan period target of 2,960 new additional homes. The bulk of delivery within the Plan period is forecast to occur between the period 2018/2019 to 2027/2028. With the Local Plan period ending 2031, this provides scope for slippage or delay on the larger sites; the Council is not relying on large scale housing delivery right until the end of the Plan period, as in essence there is a 2 to 3 year slippage / delay allowance.
26. Due to the reasons set out above, the Council considers that the positive approach it has taken is justified and robust, taking account of the severity of the constraints that it is working to. The Council has not sought to avoid or shirk meeting its increase in housing OAN, it has identified and allocated sufficient deliverable land,

albeit within restricting constraints, namely the capacity of its highway and transport infrastructure network.

## **The Direction for Growth Area allocations**

### **Summary of issue**

27. A number of representations suggested that the Direction for Growth Areas identified were not the most appropriate options for larger scale greenfield release.

### **Council response**

28. In order to allocate sufficient land to accommodate the required levels of growth up to 2031, the Council considered it necessary to identify three Direction for Growth Areas on greenfield land. The three Direction for Growth Areas allocated within the Plan were considered to have the least negative impact on the Borough's highway and transport infrastructure network, and were considered the most appropriate locations in relation to existing urban development form, the Leicester Principal Urban Area and access onto main arterial transport routes (A Roads and B Roads). The three areas have also historically been identified as Broad Location for Growth Areas within the Council's Strategic Housing Land Availability Assessment, as well as been part of the greenfield release sites identified in previous iterations of the Council's Local Plan.
29. The Wigston Direction for Growth Area (Phase 1) was first identified through the Council's Core Strategy in 2010, and comprised the Council's single greenfield release site of 450 new homes. The Direction for Growth area was located to the south east of Wigston to reinforce Wigston's role as the Borough's main town.
30. Subsequent to the Core Strategy adoption, the land promoters for Phase 1 publically consulted on a Masterplan scheme that sought further development of the area (up to 1,000 new homes including the 450 of Phase 1). It was this Masterplan that formed the basis of the Phase 2 Wigston Direction for Growth Area that is allocated within the Council's Local Plan. The Wigston Direction for Growth Area has been subject to cumulative transport testing and importantly has two main site access points directly onto Newton Lane to the north and the main arterial route (A Road) of Welford Road (A5199) (significant to Leicester and Leicestershire also) to the south west. In addition, 5 hectares of employment land has been allocated at the Wigston Direction for Growth area, which contributes towards its appropriateness and sustainability. As well as residential and employment provision, the scale of development proposed at the Wigston Direction for Growth Area provides essential community facility provision, including a new local centre, a new primary school, and a new community facility building.

31. The Cottage Farm Direction for Growth Area allocated within the Local Plan, similar to the Wigston Direction for Growth Area, was a site of extant development (Phase 1); it was also promoted by land owners / agents as an alternative Direction for Growth Area during the Core Strategy preparation process. The Local Plan allocates further land comprising Phase 2 development. The Cottage Farm Direction for Growth Areas direct access onto one of the Borough's (and Leicester and Leicestershire's) main arterial routes, the A6 (A Road) was considered a fundamental element, alongside its extant Phase 1 development.
32. The Stoughton Grange Direction for Growth Area does not comprise of extant development like the other two Direction for Growth Areas, however does have two main site access points directly onto the main arterial routes (B Road) of Stoughton Road (B582) to the east and Gartree Road (B582) to the north. It should be noted that the Stoughton Grange Direction for Growth Area is situated on (to be released) designated green wedge. The growth area policy also safeguards the route for the former EDDR or Potential Transport Route. Due its location adjacent to the City of Leicester and the number of available routes that branch from the site into Oadby, Leicester City and out into Harborough District and its direct access onto two of the Borough areas main B roads, it is considered one of the more sustainable locations from a highway and transport point of view.
33. Regarding its (to be released) green wedge status, the Council's Green Wedge Review states that *'although, the land area illustrated within Figure 15 currently forms part of the green wedge area situated within the Borough boundary, the removal of the land area would not have a significant detrimental impact on the attributes of the overall green wedge designation. Due to the current, overall large size of the Oadby, Thurnby, Stoughton Green Wedge and the current distance between the urban areas of Leicester City, Harborough District and the settlement of Oadby, removal of the land area would not allow for settlement coalescence'*. Taking account of the good access arrangements onto main highway and transport routes and the conclusion of the Council's Green Wedge Review, it was considered that the benefits of allocating land for development in this location, significantly outweighed the negatives of releasing part of the designated green wedge. Its location within Oadby, along with the Cottage Farm Direction for Growth Area, also seeks to reinforce Oadby's role as the Borough's second largest centre.
34. It should be noted that all three Direction for Growth Areas proposed within the Local Plan have been subject to cumulative transport / highway testing and were taken account of in the South East Leicestershire Transport Study 2017.
35. In reference to 'alternative direction for growth areas' promoted through the Council's Local Plan Pre-Submission Consultation; with the land North of Newton Lane, as submitted by GVA, it is important to highlight that the site does not have a main site access point that is directly onto a main arterial route, for example a route classified as an A Road or B Road. It should also be noted that the site did not form

part of the South East Leicestershire Transport Study 2017, therefore has not been taken account of from a cumulative transport / highway testing perspective. It should also be highlighted that part of the land promoted through the representation is situated on designated green wedge, with the remaining land area situated on land designated as Countryside.

36. In relation to the suitability of the land to the south of Sutton Close, through the SHLAA and Local Plan Call for Sites process, in addition to the land being designated as green wedge, the Council had concerns regarding the access to the site. The site had no obvious formal access route. Such concerns were clarified in an email conversation with Landmark Planning dated the 21st June 2017 that stated the site could not be accessed currently and that the best access option would be to demolish an existing residential property. Although it was suggested in the email that a discussion was taking place with a home owner, the Council received no further update to these discussions. The Council concluded that allocating a site with no formal means of access (as well as being situated on designated green wedge land) was not positive planning, nor offered any degree of certainty that development in this location could actively be delivered. It should also be noted that the site did not form part of the South East Leicestershire Transport Study, therefore has not been taken account of from a cumulative transport / highway testing perspective.
37. In relation to the suitability of the land at Oadby Grange it is of note that the Council had not been made aware the recent interest in bringing the land forward, prior to the Local Plan Pre-Submission Consultation stage. It was only made aware through Pegasus Planning's submission on the 18th December 2017 (the closing day for the Local Plan Pre-Submission Consultation). Therefore this land has not:
  - Been assessed by the Council through the Strategic Housing Land Availability Assessment since 2013, or
  - Been submitted to the Council for consideration during any of the Call for Sites processes that have been undertaken by the Council for the purposes of Local Plan preparation.
38. Furthermore, this land has been subject to a Section 106 Agreement between Mr Thomas Watson Walker, the Borough Council and Leicestershire County Council. The original S106 Agreement dates back to 2001. Throughout the time of the agreement, the Council has been in discussions with the land owner to provide a publically owned country park, hence the land area ceasing to be considered by the Council for built development post 2013 (alongside a lack of developer or site promoter interest).
39. The land has previously been included in the Council's Strategic Housing Land Availability Assessment process due to it being considered through the Council's Allocations Issues and Options Public Consultation 2007. It has not been promoted by an external land agent or land owner.

40. In addition, the Oadby Grange site, is situated in designated Countryside and does not have direct access onto any of the Borough's main highway and transport routes (A Road or B Road). The site is located to the very edge of an existing residential estate, approximately 0.7 miles from the nearest main route, the A6. It should also be noted that the site did not form part of the South East Leicestershire Transport Study 2017, therefore has not been taken account of from a cumulative transport / highway testing perspective.
  
41. Taking account of the above, the Council considers that the decisions that have been made regarding the locations of the three Direction for Growth Areas up to 2031 are justified and robust. The Council is aware that the release of any greenfield site for built development purposes will have its negative impacts, however as mentioned above, the Council has sought locations that have the least negative impacts, when all planning considerations are taken into account.