

**Schedule of Proposed Main Modifications to
the Submission version of the Oadby and
Wigston Local Plan**

The following table details the Council's proposed main modifications to the submitted Borough of Oadby and Wigston Local Plan.

Main Modification Reference	Document page number	Document policy / paragraph / table number	Modified text (deleted text shown struck through, additional text in bold)	Reason for proposed minor modification	Source of main modification
Ma1	TBC	TBC – new Policy 47	<p>As per the Inspectors request, the Council has drafted trigger policy wording for the Local Plan. The draft policy wording is set out below:</p> <p>'Oadby and Wigston Borough Council is committed to meeting its own requirements for housing, employment, other development, and infrastructure. The Council will regularly monitor delivery of new development in the context of policies and targets within this Plan.</p> <p>The Council will commence a full or partial review no later than 5 years from adoption of the Plan, or where monitoring of targets set out in Chapter 12 of the Plan, identify significant and persistent shortfalls in the delivery of housing, employment, other development, and / or infrastructure that deviates significantly from the Plan strategy.</p> <p>The Council will commence a full or partial review should a local authority within the Leicester and Leicestershire Housing Market Area have an evidenced unmet need, which cannot be met by the other local authorities within the Leicester and Leicestershire Housing Market Area.</p>	<p>Matter 1 Hearing Session, 24.04.18:</p> <p>The Inspector asked the Council to draft a Trigger Policy (based upon paragraph 1.5.6 onwards in the Submission Draft Local Plan) to demonstrate more certainty with regards to when a full or partial Local Plan review will be needed.</p>	The Borough Council

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			<p>The Council will also commence a full or partial review should the post 2031 development strategy set out within the Leicester and Leicestershire Strategic Growth Plan be capable of coming forward earlier than is currently anticipated, for example because the A46 Expressway is to be delivered.</p> <p>Should a full or partial review be triggered by any of the above, the Council will commence the review (defined as being publication of an invitation to make representations in accordance with Regulation 18 of The Town and Country Planning (Local Planning) (England) Regulations 2012) within 6 months. Once the review has commenced the Council will submit the Plan Review to the Planning Inspectorate for Examination within a further 24 months of the date of commencement of the review. In the event that the Council does not submit the Plan Review to the Planning Inspectorate within 24 months of the date of commencement of the review, the parts of the Plan that are under review will be deemed out of date, if not already deemed out of date by virtue of national policy.'</p>		

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Ma2	Pages 28, 32 and 33	Para 4.2.11, 4.2.12, 4.3.35 and 4.3.36	<p>Having reviewed paragraphs 4.2.11 and 4.2.12, the Council propose the following amendments to the supporting text wording in both paragraphs.</p> <p><i>4.2.11 In addition to and not specified in Table 1, there is an additional number of new homes that could be delivered up to the end of the Plan period to 2031 or beyond. This additional number of new homes consists of new homes within the settlement boundary of Kilby Bridge (up to 40 new additional homes), Phase 3 of the Wigston Direction for Growth (approximately at least 300 new additional homes), and new additional homes provided on Windfall sites (at least 70 new additional homes). The additional number of homes provided within the Kilby Bridge Settlement Boundary (up to 40) and on Windfall sites (at least 70) will be in addition to the Plan period target of 2,960 new additional homes. Release of these sites will not be restricted and can come forward at any time throughout the Plan period. However, the additional new homes figure identified at Phase 3 of the Wigston Direction for Growth (at least 300) allows the Council a 'buffer' (approximately 400 homes) against the Plan period target of 2960, which would negate any potential delivery issues on allocated sites. Release of Phase 3 of the Wigston Direction for Growth</i></p>	<p>Matter 1 Hearing Session, 24.04.18:</p> <p>The Inspector asked the Council to consider rewording paragraphs 4.2.11 and 4.2.12. The Council must ensure the wording of these paragraphs and other supporting paragraphs to Policy 2 are consistent.</p>	The Borough Council

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			<p><i>would only be required should delivery of other identified or allocated sites within the Plan be slower than expected or the Council was in a position whereby it could not illustrate a 5 year supply of housing land. The additional homes figure could help fulfil a small proportion of Leicester City's declared unmet need. Delivery of Phase 3 of the Wigston Direction for Growth is not dependent upon completion of Phase 2 and both Phase 2 and Phase 3 can be delivered simultaneously if necessary.</i></p> <p><i>4.2.12 Should delivery of allocated sites be slower than envisaged by the Plan, or evidence suggests a need for further development, the land identified as Phase 3 of at the Wigston Direction for Growth area (Phase 3 on the Adopted Policies Map) shall be released for development. Any proposal, it would not be subject to cumulative strategic transport testing, as the Plan period requirement of 2,960 has already been subject to appropriate testing. However, appropriate local testing, in particular, highway and transport infrastructure capacity, and liaison with the Borough Council and Leicestershire County Council Highways department will be required. Any proposal would also be subject to the development being sensitive to the countryside areas that surround it and</i></p>		

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			<p><i>sustainable and appropriate in size and facility provision. This will be Plan-led and will be considered through a future review of this Plan.</i></p> <p>In addition to the above paragraphs, to ensure consistency, the Council is proposing the following wording amendments to other paragraphs set out in Local Plan Policy 2.</p> <p><i>4.23.35 In total, and over several Plan periods, the three growth areas have the capacity for up to 2050 new additional homes and 5 hectares of employment land for the Borough. Approximately 300 new additional homes will be provided at the Stoughton Grange Direction for Growth Area, 400 (Phase 1 and 2) new additional homes will be provided at the Cottage Farm Direction for Growth Area, and up to approximately 1,350 (Phase 1, 2 and 3) and 5 hectares of employment land at the Wigston Direction for Growth Area. Both the Wigston Direction for Growth Area and the Cottage Farm Direction for Growth Area, have extant planning permissions for their Phase 1 elements, providing 450 new additional homes and 2.5 hectares of employment land and 150 new additional homes, respectively.</i></p> <p><i>4.23.36 300 new additional homes at the Wigston</i></p>		

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			<p><i>Direction for Growth area, are identified for Phase 3, which is planned for post Plan period (2031 onwards). However, As mentioned earlier, should evidence suggest a need for further development at the Wigston Direction for Growth, it will be Plan-led and considered through a future review of the Plan brought forward in conformity with the Council's trigger policy set out within this Plan. The Council does not expect or foresee any circumstances that could affect the delivery of new homes on any of its allocated sites, however the Council seeks to plan positively through this Local Plan.</i></p>		
Ma3	Page 63	Policy 13	<p>To add clarity, the Council propose the following changes Policy 13.</p> <p><i>'The Council is committed to the provision of appropriate housing for the whole community, therefore will require affordable housing on all new residential developments of 11 dwellings or more to meet identified local need.</i></p> <p><i>Affordable housing will be required at the following minimum targets which have been informed by the Council's current Affordable Housing Viability Assessment. Development will be permitted provided that at least the following</i></p>	<p>Matter 3 Hearing Session, 25.04.18:</p> <p>The Inspector asked the Council to redraft the wording of the second paragraph in Policy 13 to add clarity.</p>	The Borough Council

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			<p><i>percentages for affordable housing are met:</i></p> <ul style="list-style-type: none"> - <i>Oadby – 30 per cent of the total number of units</i> - <i>Wigston (including Kilby Bridge) – 20 per cent of the total number of units</i> - <i>South Wigston – 10 per cent of the total number of units</i> <p><i>A cumulative approach to affordable housing on a residential site will apply regardless of the number of different associated planning applications.</i></p> <p><i>There is no maximum number of affordable housing units that can be provided on a site. Also the 11 dwelling threshold does not restrict proposals providing affordable housing on sites of fewer than 11 units.</i></p> <p><i>Proposals for residential development that meet the 11 dwelling threshold but do not provide any affordable housing will be refused unless an appropriate off-site contribution is provided in lieu of the required number.</i></p> <p><i>Where a development is otherwise acceptable but an independent viability appraisal demonstrates that</i></p>		

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			<p><i>certain policy standards cannot be achieved, the Council will work with the applicant to consider whether there are alternative approaches that would deliver the desired policy outcomes. If the Council requires its own independent viability assessments to verify outcomes of the applicants assessment, it will be at the applicants cost.</i></p> <p><i>With the provision of affordable housing remaining a priority for the Council, should a site be proposed for 100 per cent of the units classed as affordable homes, the Council may take a flexible approach to other developer contributions.</i></p> <p><i>Regarding the tenure split of affordable housing the Council will generally seek 80 per cent affordable rent and 20 per cent shared ownership, however will respond to local need at the time of consideration of a relevant planning proposal'.</i></p>		
Ma4	Pages 58 - 59	Policy 11	<p>To ensure Policy 11 and paragraph 6.1.4 comply with the Inspector's request, the Council propose the following changes:</p> <p>Policy 11 – Housing Choices:</p> <p><i>'All residential development should contribute towards delivering a mix of dwelling types, tenures and sizes that meet the identified needs (and / or</i></p>	<p>Matter 3 Hearing Session, 25.04.18:</p> <p>The Inspector has asked that the Council redraft Policy 11 to reflect the changes discussed.</p>	The Borough Council

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			<p><i>demand) of the communities within the Borough. It is expected that all new residential development proposals demonstrate how they contribute to achieving the identified needs as set out within Chapter 12 of the Housing and Economic Development Needs Assessment.</i></p> <p><i>In addition, on all new large scale residential developments (11 dwellings and more) the proposal should contain an applicant should liaise with the Council to ascertain the most appropriate housing mix having regard to the nature of the development site, character of the surrounding area, the most up-to-date evidence of need, as well as the existing housing mix of the immediate area.</i></p> <p><i>Where a development is otherwise acceptable but an independent viability appraisal demonstrates that certain policy standards cannot be achieved, the Council will work with the applicant to consider whether there are alternative approaches that would deliver the desired policy outcomes. If the Council requires its own independent viability assessments to verify outcomes of the applicants assessment, it will be at the applicants cost.</i></p> <p><i>The Council will support the development of</i></p>		

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			<p><i>bungalows, student halls of residence, specialist care accommodation, elderly care accommodation and retirement accommodation that meets an identified need and is proposed in appropriate sustainable locations.</i></p> <p><i>All residential proposals will need to respect reflect the character of the area in which they are located. Sub-division of plots and / or existing residential properties that are considered to be 'out of character' within the locale will be refused, unless the benefits of any proposed development are considered to outweigh the negative impact.</i></p> <p><i>To ensure that new residential development promotes healthy living and dwellings are of the appropriate size for its proposed occupants; (unless there is a demonstrable reason for not doing so) all new dwellings should provide sufficient space for kitchen, dining, bedroom, and living facilities, and should include appropriate levels of internal storage.</i></p> <p><i>All residential proposals for conversions, sub-division and / or changes of use will be considered on a case by case basis, and must take into account the Government's Technical Housing Standards'.</i></p>		
Ma5	Page 64	Policy 14	The Council propose the following changes Policy 14	Matter 3 Hearing	The Borough

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			<p>Self Build and Custom Build:</p> <p><i>'To ensure that the housing mix within the Borough reflects the needs of its communities, the Council will support encourage the provision of Self Build and Custom Build serviced plots on all large (11 dwellings or more) scale residential development sites, provided that proposals satisfy all other relevant policies within this Plan.</i></p> <p><i>In line with national legislation, the Council will keep a register of individuals and associations of individuals who wish to acquire serviced plots of land to bring forward Self Build and Custom Build housing projects.</i></p> <p><i>The Council will also consider proposals for the provision of Self Build and Custom Build serviced plots on smaller sites (10 dwellings or less) located within the urban area of the Borough should the register of individuals and associations of individuals suggest a need.</i></p> <p><i>It is expected that all Self Build and Custom Build serviced plots will be provided to the market with at least outline planning permission for residential development. All other appropriate and relevant planning permissions will be required prior to any</i></p>	<p>Session, 25.04.18:</p> <p>The Inspector asked the Council to redraft the wording of Policy 14.</p>	<p>Council</p>

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			development taking place on the provided plots;		
Ma6	Page 86	Policy 22 (4 th paragraph)	<p>The Council propose the following change to Policy 22 Delivering Retail (4th paragraph):</p> <p><i>'Retail development will be encouraged and permitted in the defined policy areas of the town centre and district centres, as well as the Borough's local centres.</i></p> <p><i>The town and district centres of the Borough will be the focus for new additional retail floorspace, maintaining the Borough's current hierarchy and market share between centres.</i></p> <p><i>The following identified additional overall retail capacities in net floorspace up to 2031 will be sought within each of the centres.</i></p> <ul style="list-style-type: none"> - <i>Wigston – 1,169 sq.m</i> - <i>Oadby – 1,351 sq.m</i> - <i>South Wigston – 373 sq.m</i> - <i>Local Centres – 81 sq.m</i> <p><i>Retail development will be encouraged of a scale appropriate to the needs of the local area served by these centres. Development will be subject to local planning, traffic and environmental considerations and and the needs of people who live in or near the</i></p>	<p>Matter 7 Hearing Session, 26.04.18:</p> <p>The Inspector asked the Council to redraft the 4th paragraph in Policy 22 Delivering Retail.</p>	The Borough Council

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			<p>proposal areas. P proposals seeking higher retail provision than those set out above would need to be evidenced and justified and would need to set out demonstrate that there would not be any detrimental impacts to a significant adverse impact on the centre in which the proposal is situated.</p> <p><i>In considering proposals for new retail development, the Borough Council will apply the sequential and impact test as specified in the National Planning Policy Framework and National Planning Practice Guidance. It will be essential that any new development does not have an adverse effect on existing centres within the Borough. New development should be integrated within existing infrastructure.</i></p> <p><i>Where a proposal fails to satisfy the 'town and district centre first' approach and / or the sequential test or is likely to have significant adverse impact on the centre, it will not be permitted.</i></p> <p><i>Proposals for retail development within the town centres would need to follow the principles as set out within the Area Action Plan Guidance document'.</i></p>		
Ma7	Page 90	Policy 24	The Council propose the following change to Policy 24 Local Impact Threshold:	Matter 7 Hearing Session, 26.04.18:	The Borough Council

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			<p><i>Applications for retail, leisure and office development outside of a defined centre, which is not in accordance with this Plan, will require an impact assessment if the development is over the following floorspace thresholds:</i></p> <ul style="list-style-type: none"> - <i>Wigston Town Centre – 1,500 s.qm gross floorspace</i> - <i>Oadby District Centre – 1,500 s.qm gross floorspace</i> - <i>South Wigston District Centre – 500 s.qm gross floorspace</i> <p><i>Should the Council be satisfied that the submitted impact assessment accords with the nationally prescribed criteria set out in the National Planning Policy Framework; provided the application conforms to all other relevant policy, planning permission will be granted.</i></p>	<p>The Inspector asked the Council to amend Policy 24 Local Impact Threshold to indicate what the consequences would be for meeting or not meeting the criteria as per the National Planning Policy Framework with regards to impact assessment.</p>	
Ma8	Pages 116 - 119	Policy 38	<p>The Council propose the following changes to Policy 38 Climate Change, Flood Risk and Renewable Low Carbon Energy:</p> <p>Policy 38:</p>	<p>Matter 8 Hearing Session, 01.05.18:</p> <p>The Inspector asked the Council to amend Policy 38 Climate</p>	The Borough Council

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			<p><i>'New development proposals in the Borough will need to shall achieve nationally prescribed sustainable building standards for energy efficiency; take into account the potential risks and impacts of climate change, ; and, seek to ensure that the prospect of flood risk is minimised through appropriate mitigation measures.</i></p> <p><i>Climate Change</i></p> <p><i>The Council will expect all development proposals to make use of sustainable resources and seek to reduce their impact upon climate change by meeting high standards of sustainable design and construction.</i></p> <p><i>The Council will also expect all major-scale planning applications, including refurbishments (11 or more residential units or 1,000+ square metres of floor area) to be accompanied by a Sustainability / Energy Statement demonstrating how (potential) harmful emissions will be reduced by addressing issues, including have been addressed and minimised by taking account of:</i></p> <ul style="list-style-type: none"> <i>- Energy efficiency;</i> <i>- Water conservation;</i> 	Change, Flood Risk and Renewable Low Carbon Energy.	

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			<p>- <i>Sourcing of construction materials;</i></p> <p>- <i>Giving consideration to site orientation aspects of a scheme;</i></p> <p>- <i>Promoting sustainable means of transport;</i></p> <p>- <i>Sustainable waste management solutions (during and post-construction); and,</i></p> <p>- <i>The feasibility of integrating renewable energy solutions into the development.</i></p> <p><i>The level of detail required will depend upon the scale and complexity of the application and will be determined through collaboration with the Council.</i></p> <p><i>Flood Risk</i></p> <p><i>New development proposals in the Borough should take into account the potential impact of climate change on water resources, water quality and on the level of flood risk posed, as detailed in the Council's latest Strategic Flood Risk Assessment (SFRA) and by the Environment Agency.</i></p> <p><i>Development in areas that would be at risk from</i></p>		

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			<p><i>flooding should be avoided unless it can be demonstrated that:</i></p> <ul style="list-style-type: none"> - <i>Appropriate land at lower risk is not available (and this has been evidenced through the application of the National Planning Policy Framework Sequential Test);</i> - <i>There are national policies or other material considerations permitting development of that nature on land with a high risk of flooding;</i> - <i>There are exceptional reasons for development to take place in that location; and,</i> - <i>The localised and cumulative risk of flooding can be fully mitigated through careful design and engineering methods.</i> <p><i>A detailed Flood Risk Assessment will be required for all development proposals greater than 1 hectare in size situated within a Flood Zone 1 and all development proposals regardless of size situated in Flood Zone 2 or 3, or in an area within Flood Zone 1 which has critical drainage problems. The assessment should identify the necessary mitigation and adaptation measures which should:</i></p>		

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			<p><i>- Aim to avoid or reduce the risk of flooding and harm from it by ensuring the sequential approach has been taken and the development is safe for the lifetime of the development and will not increase flood risk to others;</i></p> <p><i>- Where appropriate, include suitable habitat creation and not cause detriment to existing habitats and species; and</i></p> <p><i>- Demonstrate how such measures form an intrinsic part of the overall development.</i></p> <p><i>Development should proactively manage surface water run-off through the promotion of sustainable drainage techniques and positive land management, including the use of permeable surfacing.</i></p> <p><i>Development of previously developed sites should be accompanied by a desktop study to identify any potential contamination. If there is potential for contamination to be present on site, further more detailed investigation will be required to ensure that contaminants are not mobilised through development and enter groundwater supplies or watercourses.</i></p> <p><i>Renewable / Low Carbon Energy</i></p>		

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			<p><i>Unless it can be demonstrated by an applicant not to be feasible or viable, all developments greater than 1 hectare in size will be required to incorporate on-site renewable energy generation and / or on-site provision of buildings that reduce the need for non-renewable energy use.</i></p> <p><i>The Council will provide support for renewable or low-carbon energy schemes, subject to the following considerations:</i></p> <ul style="list-style-type: none"> <i>- The degree to which the scale and nature of a proposal impacts on the landscape, particularly having regard to the Borough's Landscape Character Assessment;</i> <i>- The degree to which the proposal has demonstrated any environmental, economic and social benefits of a scheme as well as how any environmental or social impacts have been minimised (e.g. visual, noise or smell);</i> <i>- The impact on designated sites on European, national and local biodiversity and geological; and,</i> <i>- The impact on the amenity of residents and other interests of acknowledged importance, including the</i> 		

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			<i>historic environment</i> '.		
Ma9	Page 127	Policy 42	<p>The Council propose the following changes to Policy 42 Green Wedges:</p> <p>'Green Wedges protect important areas of green land within the Borough and seek to retain these areas as open and undeveloped.</p> <p>The objectives of all Green Wedges situated within the Borough are to:</p> <ul style="list-style-type: none"> - Prevent the merging of settlements; - Guide development form; - Provide a 'green lung' between the urban area and the countryside; and - Act as a recreational resource. <p>Due to the open and undeveloped nature of the Green Wedges, the Council will allow uses that are consistent with the following.</p> <ul style="list-style-type: none"> - Agriculture, horticulture and allotments, including associated built facilities not accompanied by retail development; 	<p>Matter 10 Hearing Session, 01.05.18:</p> <p>The Inspector asked the Council to amend Policy 42 to enable greater flexibility to the forms of development that would be acceptable and in accordance with the objectives of Green Wedges.</p>	The Borough Council

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			<ul style="list-style-type: none"> - Outdoor leisure, recreation and sporting facilities, including associated built facilities; - Forestry and bodies of water, including associated built facilities; - Footpaths, bridleways and cycle ways; and, - Burial grounds, including associated built facilities. <p>The Council will support proposals that retain and enhance public access into the Borough's Green Wedges, as well as proposals that retain and enhance the role that the Green Wedges play in the Borough's Green Infrastructure Network and its biodiversity.</p> <p>Road proposals or dedicated public transport routes within the Borough that are evidenced as being required will only be acceptable where it has been proven that there are no alternative routes outside of the Green Wedge. Any proposal that has an adverse impact effect on the Green Wedge should provide appropriate mitigation measures to ensure that any adverse effects on the Green Wedge are kept minimal will only be permitted where there</p>		

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			<p>is a justifiable need which outweighs these impacts and where a Landscape Character Assessment has been undertaken to ensure that all detrimental impacts that a development may cause have been addressed and can be mitigated’.</p>		
Ma10	Page 131	Policy 45	<p>The Council propose the following changes to Policy 45 Local Green Space:</p> <p>Policy 45 Local Green Space:</p> <p>Any development proposal which will result in the loss of a site designated as Local Green Space on the Adopted Policies Map will not be permitted, unless the harm of losing the asset is significantly outweighed by the benefits of the proposed development.</p> <p>New development will not be permitted in areas designated as Local Green Space, other than in very special circumstances. Very special circumstances will only exist where the potential harm to the Local Green Space by reason of appropriateness, and any other harm, is clearly outweighed by other considerations.</p> <p><i>Proposals put forward to the Council for Local Green</i></p>	<p>Matter 11 Hearing Session, 02.05.18:</p> <p>The Inspector asked the Council to amend Policy 45 to better reflect the wording set out in the National Planning Policy Framework. It should be more apparent that the Council’s approach to Local Green Space will be consistent with the National approach to Green Belt land.</p>	The Borough Council

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			<i>Space designation will be assessed against the criteria set out within national planning policy'.</i>		
Ma11	Page 50 - 51	Policy 8	<p>The Council propose the following changes to Policy 8 Green Infrastructure:</p> <p><i>'The Council will seek a net gain in Green Infrastructure through the preservation and enhancement of open spaces and assets that comprise the Borough's Green Infrastructure and its network.</i></p> <p><i>All new development resulting in a net gain in residential dwellings and / or other forms of development, such as employment, retail and commercial floor space must contribute towards achieving this net gain. Green Infrastructure assets will be created, preserved, managed and where necessary enhanced by:</i></p> <ul style="list-style-type: none"> - <i>safeguarding and enhancing existing Strategic Green Infrastructure assets / corridors;</i> - contribution towards <i>the creation of new multi-functional areas of green space;</i> - <i>seeking opportunities to link fragmented habitats, protect vulnerable habitats and integrate biodiversity</i> 	<p>Matter 13 Hearing Session, 02.05.18:</p> <p>The Inspector asked the Council to further amend Policy 8 Green Infrastructure, having previously submitted proposed minor modifications (refer to Mi16).</p>	The Borough Council

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			<p><i>within communities;</i></p> <ul style="list-style-type: none"> - <i>seeking the creation of new strategic and / or local Green Infrastructure assets / corridors within all new development;</i> - <i>actively promoting the restoration, re-creation and enhancement of existing Green Infrastructure assets / corridors and the biodiversity that they support;</i> - <i>not allowing development that compromises the integrity of the existing overall Green Infrastructure network;</i> - <i>protecting and conserving species and sites of ecological and geological significance;</i> - <i>using developers contributions to facilitate off-site improvements to existing Green Infrastructure assets / corridors, particularly their quality and accessibility;</i> - <i>where relevant working in partnership to enhance the value of Strategic Green Infrastructure assets / corridors that are also of significance outside of the Borough, such as the Grand Union Canal and River Sence (including their riparian habitats)'. '</i> 		