



Oadby & Wigston

Town Centres Area Action Plan

Matter Five Development Management Policies





5.1 Are the town centre boundaries for Wigston and Oadby appropriately drawn (policy 1)?

- 5.1.1** As prescribed within the National Planning Policy Framework, an assessment was undertaken of the need to expand the centres of Wigston and Oadby. Through previous public consultation exercises undertaken for the Issues and Options stage and the Preferred Options stage of the Town Centres Area Action Plan, consolidating the town centre boundary whilst keeping the existing town centre boundary as the Area Action Plan boundary (rather than expanding the boundary) was deemed the most appropriate option.
- 5.1.2** Tightening the existing town centre boundaries (as shown in Appendix 1 and 2) focuses growth (specifically retail and residential) in the core areas of the town and encourages the development of previously developed land, thus supporting their viability and vitality. Allowing the required level of development through the sufficient supply of suitable land within the centres was taken account of during the boundary assessment, with the Masterplans illustrating one way in which the level of required development could come forward.
- 5.1.3** The area outside of Wigston's proposed town centre but within the Area Action Plan boundary is predominately residential in nature, with approximately 9.5 per cent of the land use being retail in use (B&Q and Aldi site making up 98 per cent of the 9.5 per cent). Excluding the B&Q and Aldi site, approximately 0.2 per cent of the land use outside the proposed town centre but within the Area Action Plan boundary is retail in nature, reiterating the reasoning for tightening the town centre boundary.
- 5.1.4** Similar to Wigston, the area outside of Oadby's proposed town centre boundary is mostly residential in character. Including the newly completed Waitrose supermarket situated on Harborough Road, retail only makes up approximately 6 per cent of the total land use (excluding Waitrose this is reduced to 1 per cent) outside of the proposed town centre but within the Area Action Plan boundary.
- 5.1.5** In their statement the Oadby Town Centre Association have suggested that the 'redrawing' of the town centre boundaries is inappropriate and unjustified.
- 5.1.6** Town Centres Area Action Plan Policy 5 has been directly based upon existing Saved Local Plan Shopping Proposal 4 which states that '*within the secondary shopping areas...redevelopment or change of use to retail or service uses will be considered favourably provided the proposed development would not have any detrimental effects on the amenities of any nearby residential properties*'.



- 5.1.7** At no point within Town Centres Area Action Plan Policy 5 – Other Areas within the Area Action Plan Boundary does the policy state that proposals outside of the town centre boundary, but within the Area Action Plan boundary, would be restricted to residential uses. As mentioned in the above paragraphs, the majority of the land use within the Area Action Plan, outside of the proposed town centre is residential in use. The policy suggests that proposals having a detrimental impact upon the local residential amenity would not be permitted. The policy allows flexibility and enables each application for change of use to be dealt with on its on merits, rather than a ‘blanket’ cover all policy. It must also be noted that planning policy would not ‘force’ the closure of existing businesses. Area Action Plan Policy 5 would only apply if an application was submitted for change of use or redevelopment to the existing unit.
- 5.1.8** The square metre thresholds contained within Town Centres Area Action Plan policy 5 have been prescribed to protect the areas that are located outside of the town centre boundary but within the Area Action Plan boundary from unacceptably large development or change of use that would have a detrimental impact on the locale. Only a small number of existing businesses outside of the town centre boundaries would exceed the 200 sqm threshold and therefore if applying for redevelopment of a change of use would have prove sequentially why they cannot be located within the town centre boundary.
- 5.1.9** The proposed town centre boundaries have been condensed to focus retail and residential development within this core area, in turn protecting other areas within the Area Action Plan boundary from development that would be better located in a town centre. Focussing these uses within the town centre boundary, allows far greater flexibility outside of this area to have a complete mix of different business uses and lower density residential development. As illustrated within ‘Doc A’ of the Oadby Town Centres Association the area outside of the town centre boundary has a variety of different uses and it is vitally important that this mix is maintained and enhanced. Concentrating high density residential development and retail within a town centre supports government policy (pp 7 Chapter 2 of the National Planning Policy Framework) and ensures the town centres are the heart of the communities in which they are situated. As well as increasing potential spend both to the day time and evening economies, residential development within town centres brings natural surveillance outside of normal business opening times which usually would not be there.
- 5.1.10** The Town Centres Area Action Plan does not combine ‘Oadby Town Centre’ and ‘Primary retail areas of the centre of Oadby’, as suggested on page 4 of the Town Centre Association’s comments. The Town Centres Area Action Plan refers to ‘Oadby Town Centre’ as the new town centre boundary, as proposed within the Town Centres Area Action Plan, and ‘Primary retail’ as the newly defined ‘Primary Frontages’. The proposed town centre boundary is made up of both primary and secondary frontages, thus is in line with page 105 of the Borough’s Core Strategy.



5.1.11 Having the Waitrose site outside of the proposed town centre boundary allows the Borough Council far greater control over any future use. Being outside of the town centre boundary restricts its potential future uses and ensures that any development that was to occur on the site could only do so if it were not to have any detrimental impact upon the town centre and the residential area in which it is situated. Its situation and poor connectivity to the core of Oadby also means it would be inappropriate to include the Waitrose development in the town centre boundary.

5.2 Are policies 2 and 3, setting out permitted levels of ground floor uses in Primary Frontages and Secondary Frontages respectively, justified and effective?

5.2.1 In conformity with the National Planning Policy Framework, the Town Centres Area Action Plan defines the extent of Wigston town centre and its primary shopping areas, as well as clearly defining primary and secondary frontages and sets out policies that make it clear which uses will be permitted in each frontage.

5.2.2 The prime function of the centres of Wigston and Oadby are as retail locations. It is imperative that the high number of retail provision is maintained, and enhanced, within the core areas to ensure the success of each of the centres. Too higher a number of non – A1 uses within the primary frontages will compromise the centres retail function by diluting the overall supply of retail floor space.

5.2.3 Policies to maintain the high proportion of retail provision within the centres have been based upon policies set out in the Saved Local Plan (2010). Town Centres Area Action Plan Policy 2 and 3 prescribe the similar figures of A1 use within the centres as the Borough Council’s Saved Local Plan (see Appendix 3)

5.2.4 From Use Class audits that were undertaken in August 2010 and March 2012, the following percentages can be attributed to Primary Frontages in the relevant locations.

Area	Saved Local Plan Policy Target	AAP Policy Target	Existing Retail (A1) Use 2010	Existing Retail (A1) Use 2012
Bell Street	90%	90%	90%	88%
Wigston Centre	70%	70%	80%	77%
Oadby	70%	65%	65%*	64%

* see paragraph 5.2.13

5.2.5 As the above percentages illustrate, the relevant Primary Frontage policy set out in the Saved Local Plan has been successful in keeping the provision of retail use high within the centres of Oadby and Wigston (also see Appendix 4 and 5).



- 5.2.6** The vision and spatial strategy for Wigston outlines the ambition to significantly strengthen the centres retail offer, thus creating further employment opportunities. With Wigston being the Borough’s main town centre, (one of only two town centres in the Leicester Principal Urban Area) and Bell Street being the principal retail destination, keeping a high percentage of retail provision, 70 per cent and 90 per cent respectively, is paramount to its success.
- 5.2.7** Oadby centre’s strength lies within its interesting mix of uses, and through Town Centre Area Action Plan policy this mix of uses should increase. Although it is essential that Oadby’s retail provision is kept high, a degree of flexibility has been factored in to allow for the centres ambition to have a more pronounced restaurant and café culture. It is important that the two centres do not directly compete with one and other, and only complement.
- 5.2.8** The illustrative maps (Appendix 4 and 5) show the extent of the Primary and Secondary Frontages and the use classes within them based on the 2012 audit, in both Wigston and Oadby. The red line along the frontages represents the primary frontages and the blue line represents the secondary frontages.
- 5.2.9** The primary frontages defined in the Town Centres Area Action Plan for Wigston are based upon the frontage lengths set out in the Saved Local Plan, however due to how the town has changed and evolved over recent years the northern end of Leicester Road, Wigston (which has seen a relatively high number of vacant retail units over a sustained period) has been defined secondary. The area defined secondary in Wigston has a very different use provision to the rest of the centre, thus reiterating its secondary frontage classification (see below table for use class provision).

Use Class	Provision Percentage
A1	48 per cent
A2	22 per cent
A3	11 per cent
A4	4 per cent
A5	15 per cent

- 5.2.10** The Brooksby Drive area of Oadby has been defined secondary frontage as it will not be directly fronting onto The Parade and the regenerated public realm. Brooksby Drive is also the key southern access into the East Street public car park. Defining the Brooksby Drive units secondary allows a significant flexibility and would permit, for example, complimentary ground floor commercial properties.
- 5.2.11** Oadby Town Centre Association’s has commented in its Statement in relation to Area Action Plan Policy 2.



5.2.12 For clarity and accuracy (thus set out in the minor changes document) page 81 of the Town Centres Area Action Plan is to be amended to illustrate the correct average percentage. The figure of 69 per cent (an average of all the frontage percentages) is incorrect and should be 65 (64.6) per cent, as illustrated below:

Total Number of Primary Frontage Units	79
Total Number of Primary Frontage Non A1 Units	28
Total Number of Primary Frontage A1 Units	51
Percentage of Primary Frontage A1 Units (= 51 / 79 x 100)	64.6

5.2.13 With the 2010 retail audit illustrating 65 per cent of the primary frontage within Oadby to be A1 (retail) use and the 2012 retail audit illustrating 64 per cent of the primary frontages being retail in nature, reducing the threshold from 70 per cent to 65 per cent is deemed fully justified, sound and correct. With the current provision of retail on primary frontages within Oadby being below the 65 per cent threshold, Town Centres Area Action Plan Policy 2 applies and permissions for non A1 uses would not be permitted unless significant regenerative benefits could be demonstrated.

5.3 Is Policy 9, dealing with hot food takeaways, justified and effective? In particular, how is ‘cumulative’ to be determined and how will the effects of impacts such as noise, litter, smell and opening hours be assessed?

5.3.1 The Borough Council acknowledge that the presence of hot food takeaways within town centres add to the variety of uses and can contribute to both the daytime and evening economies, however if not managed appropriately can have significant detrimental impacts. Town Centres Area Action Plan Policy 9 – Hot Food Takeaways seeks to avoid potentially detrimental impacts by setting out criteria to which proposals must adhere to.

5.3.2 As well as Town Centres Area Action Plan Policy 9, any hot food takeaway proposal will need to take account of Town Centres Area Action Plan Policy 2, 3, 4 and 5 (where relevant). For example, Town Centres Area Action Plan Policy 2 – Primary Frontages prohibits 3 or more non A1 uses in a row on primary frontages within the centres of Wigston and Oadby and A1 uses where percentages are below those proposed in policy.

5.3.3 If a hot food takeaway is proposed within the vicinity of an existing takeaway or group of takeaways with a known existing problem it would be reasonable to assume that another hot food takeaway would add to the existing problem and should be refused. Through close working with the Environmental Health department and the Anti-Social Behaviour Officer at the Council the Planning Department will be able identify problem areas within the town centres and take account of them during the planning application stage.



5.4 Is policy 10, dealing with taxis justified and effective? In particular, how will proximity to the core of the town be assessed, and how is the core defined? Would there be any provision for taxi waiting areas in Oadby?

5.4.1 Taxi's are an important part of a mixed use town centre. They provide a travel mode choice that many people do rely upon. Although taxis and their associated offices are an important part of any town centres makeup, they can have detrimental impacts if not managed correctly.

5.4.2 With some taxi control offices operational 24 hours a day, there are potential noise, pollution and traffic generation impacts which can have a significant negative impact upon the area in which they are located and neighbouring areas. To negate any potential impacts of a proposal, the Town Centres Area Action Plan sets out a criteria based policy that seeks to accommodate taxi control offices as long as they contribute to the existing travel mode choice and do not have any detrimental impacts on the area.

5.4.3 The core of the town centres of Oadby and Wigston are defined as the '*retail and commercial centre of the town which usually comprises the primary and secondary frontages*'. As explained in question 5.1, the majority of the town outside of the town centre boundary but within the Area Action Plan boundary is residential in use and would not be an appropriate location for a taxi control office. Keeping the provision of taxi control offices to within the town centre boundaries specifically the core, or very close to, would prevent negative impacts associated with taxi's occurring in residential areas.

5.5 Is policy 11, covering public realm, justified and effective? Should the policy make reference to the use of sustainable urban drainage systems, as suggested by the Environment Agency?

5.5.1 Town Centre Area Action Plan Policy 11 – Public Realm is a generic policy that is relevant to all public realm redevelopment or improvement schemes that occur within the Area Action Plan boundaries of both Wigston and Oadby associated with built development.

5.5.2 The Council's draft Public Realm Strategy Supplementary Planning Document (document library reference I11) notes that the Department for Transport has suggested the need to bring about a transformation in the quality of English streets, which will require a culture change from existing design ideas. There needs to be a breaking away from the 'standard' and prescriptive methods in order to create these high quality safe streets. All Public Realm design should apply a 'user hierarchy', with the pedestrian at the top. The Town Centres Area Action Plan Policy reiterates government ideologies and states that '*public realm must ensure that the pedestrian is prioritised over other modes of transport*' in all public realm schemes.



- 5.5.3** The policy states that design and choice of materials should be of the highest standard, however does (intentionally) not drill down to specific details. Specific design and material use for public realm within the centres of Oadby and Wigston are specified in policies and principles contained within the draft Public Realm Strategy Supplementary Planning Document. Although the strategy is mentioned within the supporting text to Town Centres Area Action Plan Policy 11 it is proposed to strengthen its link with the Town Centres Area Action Plan by inserting the following sentence into the policy;

'All public realm redevelopment or improvements are required to follow the principles and policies set out in the Public Realm Strategy Supplementary Planning Document'.

- 5.5.4** The Council agree with the wording suggested by the Environment Agency regarding sustainable drainage systems and suggest that it be included within the supporting text of Town Centres Area Action Plan Policy 11 – Public Realm. The use of sustainable drainage systems are also actively encouraged through the Public Realm Strategy Supplementary Planning Document which supplements policy set out within the Town Centres Area Action Plan.

5.6 Are policies 4 and 5, covering proposals for development within the town centre boundary and within other areas within the AAP boundary respectively, justified and effective? Why have the SA recommendations aimed at avoiding or offsetting potential impacts on green spaces and biodiversity been omitted from policy 4?

- 5.6.1** With regard to policies 4 and 5, these have been referred to in response to other questions in relation to this Matter. The Council consider these policies to be fully justified and effective.
- 5.6.2** Core Strategy Policies 14, 15 and 17 together relate to the need to offset potential impacts on green spaces and biodiversity when new development takes place in the Borough.
- 5.6.3** However, if it is considered necessary to take into account potential impacts on green spaces and biodiversity specifically in relation to Policy 4 of the Town Centres Area Action Plan then the following text could be included:

"Where development is likely to have an impact upon existing ecological value an ecological survey will be required. Measure should be identified and implemented to facilitate habitat enhancement and/or creation as part of any development.

Measures should also be taken to increase the amount of natural green space as part of any new development where there is known to be a deficit as set out in the Council's Annual Open Space Review"

- 5.6.4** If this wording is included in Policy 4 then it should also be included in Policy 5.



5.7 Are policies 6, 7 and 8 dealing with shop fronts, security shutters and use of upper floors respectively justified and effective?

Shop Fronts

- 5.7.1** The major element of the character of a town centre, specifically its retail core, is the quality of shop front design. The Borough Council has always encouraged any shop front refurbishment to be undertaken appropriately and sensitively to its locale.
- 5.7.2** Saved Local Plan Shopping Proposal 16 states that '*planning permission will not be granted for replacement shop fronts unless they relate to the buildings façade and character, and the character of the street scene as a whole*'. Although existing policy has been relatively successful in achieving the aims of the Saved Local Plan regarding shop fronts, it was felt that a criteria based policy would have more success.
- 5.7.3** Existing policy is subjective and very open to interpretation, however setting out certain criteria in policy of what the Borough Council requires from shop front refurbishment or replacement will aid the application and negotiation process. From the outset, any proposer of shop renewal or refurbishment will know what the Borough Council requires from any proposal.

Security Shutters

- 5.7.4** The Borough Council acknowledges that security shutters are essential for businesses in protecting their assets, specifically after the events occurring in a number of town and city centres last year (2011). The Borough Council have always encouraged the use of appropriate security shutters.
- 5.7.5** Chief Planner Steve Quartermain states (in a letter dated 12th August 2011) 'It is important that a balance is struck between security and protecting the look and character of our high streets. In addition, the overall street scene should be a welcoming environment at night'.
- 5.7.6** Saved Local Plan Shopping Proposal 17 states 'the Local Planning authority will not grant permission for external security protection that will have an adverse effect on the character of the building or appearance of the area'.
- 5.7.7** It is imperative that any external shutter to be fitted to a shop front does not have a detrimental impact upon the existing street scene. Shutters that are solid create an unattractive 'dead' frontage that can discourage after business hours use, for example 'window shopping', as well as reduce visibility for natural surveillance from passers by.
- 5.7.8** Similar to Town Centres Area Action Plan Policy 6, policy 7 regarding security shutters is criteria based in its approach. It is widely recognised that inappropriate security shutters can have a distinct negative impact upon the locale. Setting out the criteria that an applicant must take into account during the design process provides far greater clarity to the proposer of what the Borough Council require.



5.7.9 It is important that all development within the centres contributes to sustainable development/living and encourages economic growth by attracting increased pedestrian footfall. It is vital that the pedestrian feels safe when walking in the centres after business opening hours and fear of crime is reduced through appropriate development.

Use of Upper Floors

5.7.10 Having a diversity of uses within a centre is paramount to its success. Use of upper floors increases activity and personal safety and ensures buildings are kept in a good state of repair. Incorporating residential units into main centres encourages more of a 24 hour economy, as well as bringing its own level of natural surveillance.

5.7.11 Upper floors that are underused or vacant detract from the streetscape and are often in a poor state of repair. Encouraging appropriate development through change of use will add to the viability of the centre and add to its vitality.

5.7.12 Policy proposed within the Town Centres Area Action Plan (Policy 8) is based upon Saved Local Plan Shopping Proposal 10 that states ‘throughout the central shopping areas, proposal for residential, financial and professional services uses and for business office uses at first floor level above shops and service uses will be considered favourably’.

5.7.13 Oadby Town Centre Association has commented in its Statement in relation to Town Centres Area Action Plan Policy 8.

5.7.14 Although the 2007 Baseline Report suggests that there is potential capacity for 60 dwellings above existing retail units, the reality is that this capacity would never be fulfilled. The potential figure excludes those upper floors that are being used for retail storage. As the 2007 Baseline Report suggests, without detailed property inspections, it would not be possible to illustrate an exact figure because of the level of uncertainty, for example, an upper floor may already be in use as storage or the building may have constraints limiting conversion. In addition it would not be possible for the Council to fund a grant scheme to encourage residential units of upper floor level units.

5.7.15 As a definitive figure is currently unobtainable it would be unsound and unjustified for the Borough Council to stipulate figures within the Town Centres Area Action Plan in relation to change of use of upper floors to residential. Change of use of upper floors to residential would therefore be classed ‘windfall’ sites, which are not taken account of within the Local Plan as at this moment in time there is not compelling evidence to do so. This is consistent with the approach set out in the Core Strategy (paragraph 5.8 – 5.9).

5.7.16 It must be noted that any changes of use to upper floors that do come forward within the town centre boundaries, although not planned for, will contribute towards the residential provision targets in each town centre.



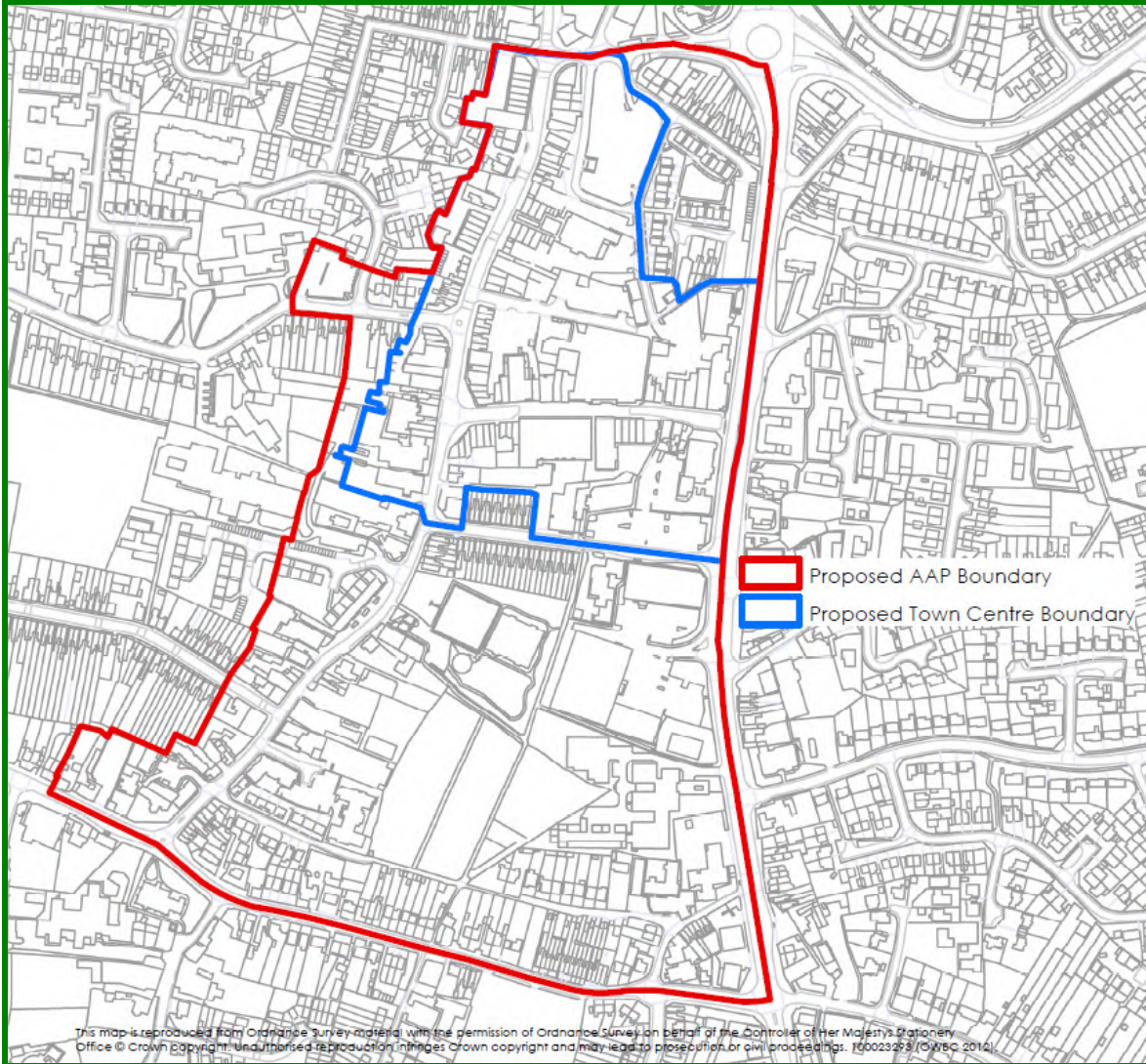
5.8 Is policy 12 covering the transport and movement, justified and effective? Has the potential for public transport been realised? Should the plan provide more detailed direction in relation to the location of new and improved bus waiting facilities?

- 5.8.1** The National Planning Policy Framework promotes Sustainable Transport and suggests that local authorities should plan for a transport system that is balanced in favour of sustainable modes of transport, which gives people a real opportunity and choice. It also suggests that plans should protect and exploit opportunities for the use of sustainable transport modes and allow people the access to high quality public transport.
- 5.8.2** The Borough Council is committed to encouraging sustainable travel patterns and modes of transport through positive planning. Town Centres Area Action Plan Policy 12 – Transport and Movement sets out a criteria based policy that is relevant to development scale. To encourage and ascertain where improvements and advancements in sustainable modes of transport can be obtained, the policy states that *'all development proposals must fully demonstrate how access will be achieved by the full choice of travel modes'*.
- 5.8.3** Through consultation with bus operators and a Leicestershire County Highways department audit of bus infrastructure it became apparent that improvements to the existing services were needed, however detailed direction would not be beneficial. Both the bus operators and Leicestershire County Highways department expressed a want for a degree of flexibility on how and where the services are to be provided within each centre. It is felt that illustrating indicative areas within each town centre where bus facilities could be provided strikes a balance and gives the necessary flexibility.
- 5.8.4** Through the Town Centres Area Action Plan and the draft Public Realm Strategy Supplementary Planning Document the pedestrian environment of Wigston town centre is to be significantly improved. As well as the material improvement to the existing public realm, the extension to The Lanes network north linking with Leicester Road, will allow a far greater and more efficient pedestrian usage and flow.
- 5.8.5** The Borough Council recognise that private car use is important for many people, however also acknowledge the importance of public transport and other sustainable travel modes. The Area Action Plan and current master plan illustrate and set out in policy improvements to the existing bus waiting facilities on Leicester Road and a new public transport area, taxi rank and associated facilities on Bull Head Street. The new public transport area will seek to improve, both, northbound and southbound public transport services along Bull Head Street. The new facility will link Wigston town centre with the proposed Direction for Growth to the south east of Wigston and improve links to Leicester City centre.



Appendix 1

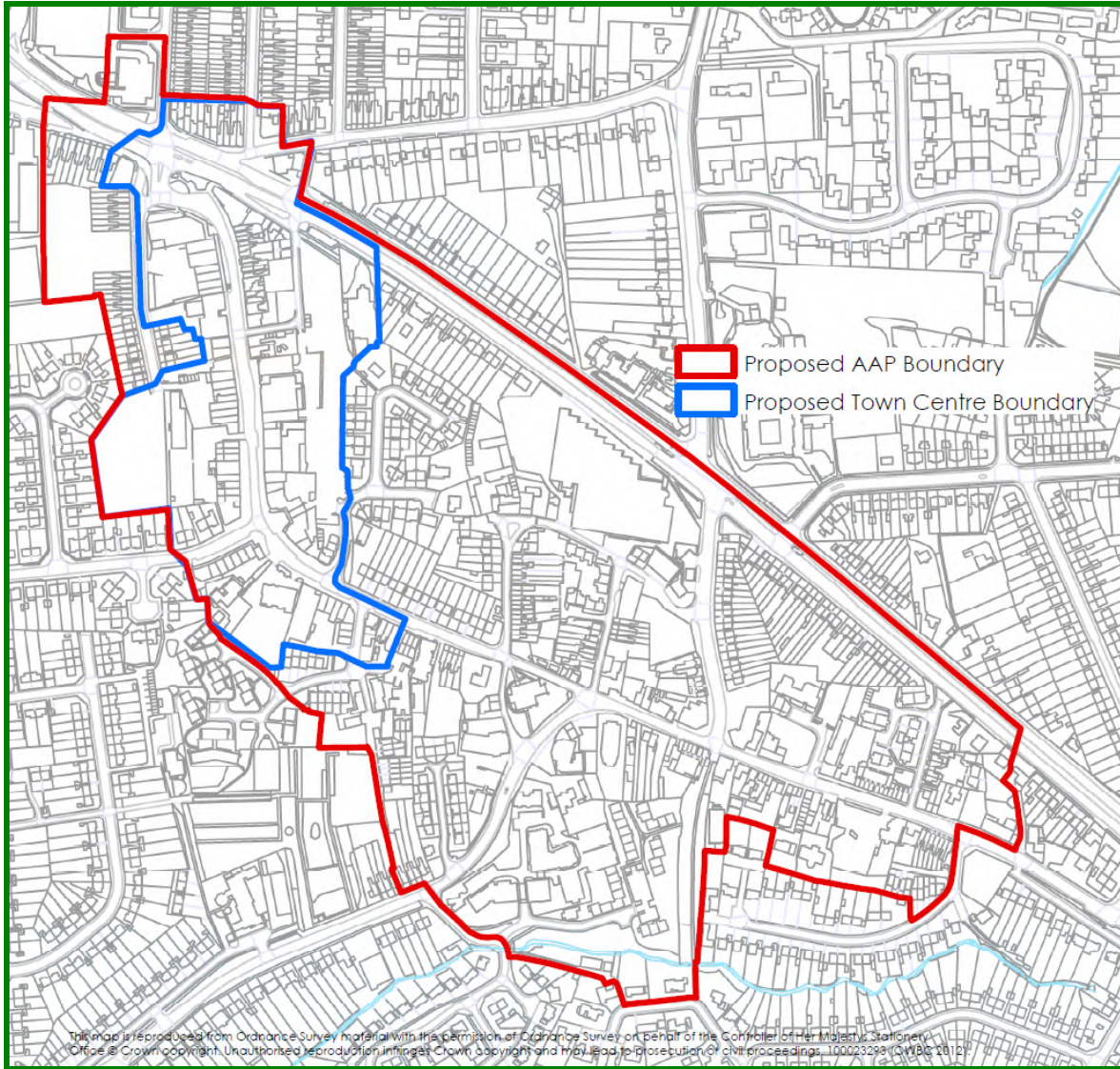
Map of Wigston Town Centre Boundary and Area Action Plan Boundary





Appendix 2

Map of Oadby Town Centre Boundary and Area Action Plan Boundary





Appendix 3

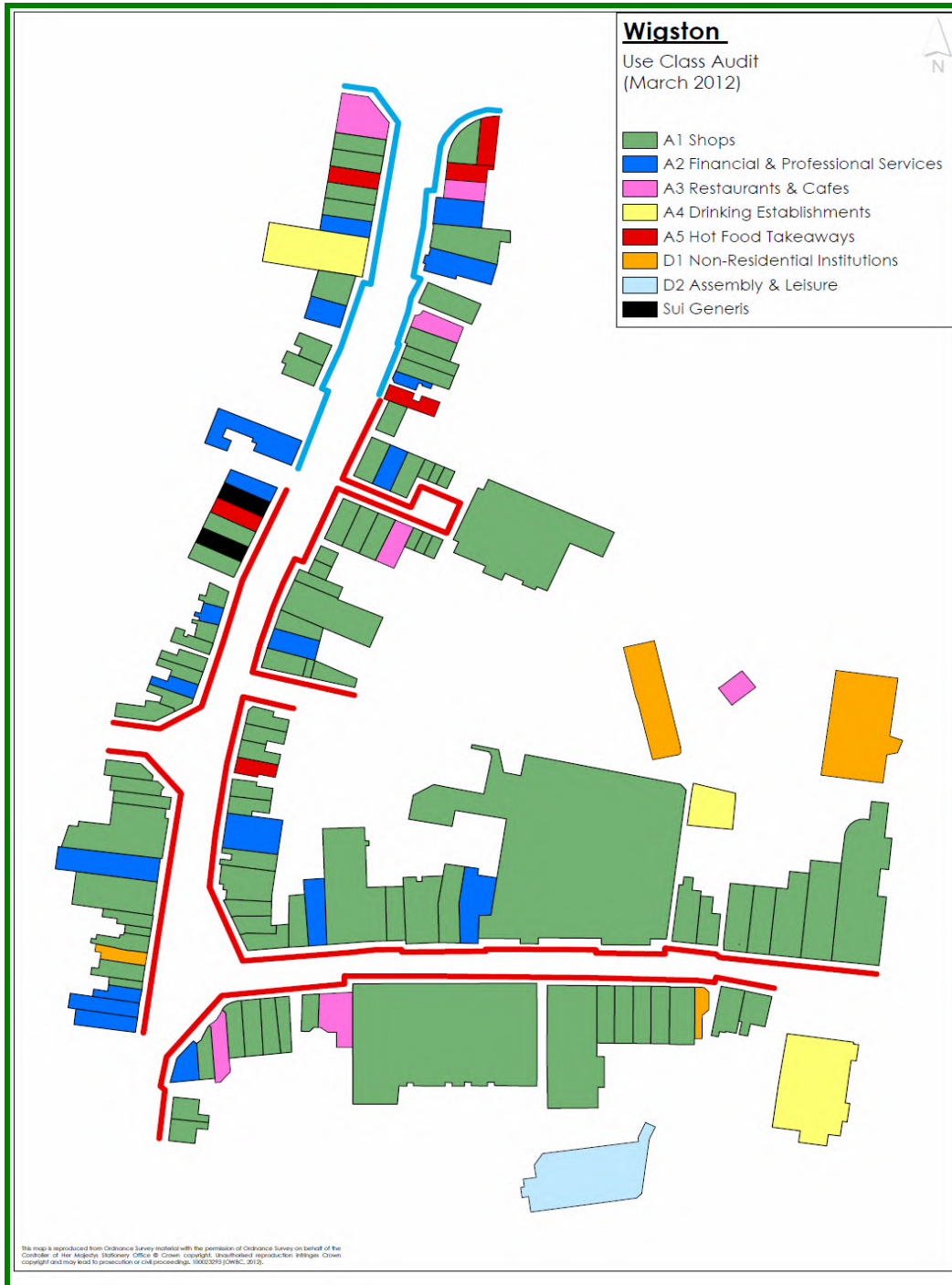
Existing Policy to be Superseded by Town Centres Area Action Plan

Saved Local Plan Policy	Town Centres Area Action Plan Policy
<p>Shopping Proposal 3 – Within the primary shopping areas shown on the Inset Maps, changes of use to shops or redevelopment for shopping purposes will be favourably considered.</p> <p>Shopping Proposal 5 – Within the primary and secondary shopping areas planning permission for non-retail use will be refused where it would result in three or more adjoining units being put to such uses.</p> <p>Shopping Proposal 6 – Throughout the primary shopping areas, other than Bell Street, Wigston, planning permission for non-retail uses will be granted provided that shop uses (class A1) will continue to occupy not less than 70% - or the current proportion where it is already below 70% - of the frontage lengths identified on the proposals map and in appendix 10.</p> <p>Shopping Proposal 7 – Within Bell Street, Wigston planning permission will be granted for non-retail uses provided:</p> <p>1) shop uses (A1) will continue to occupy not significantly less than 90% of the frontage lengths shown on the proposals map;</p>	<p>Area Action Plan Policy 2 – At the ground floor level of primary frontages as identified on the proposals map, planning permission will be granted for non-A1 uses, provided that more than 70% of units within all such frontages in Wigston (90% of units on Bell Street) and 65% in Oadby remain in A1 retail use, and no more than three consecutive units are in non-A1 use on the identified frontages. Proposals that do not conform to these requirements will not be permitted unless significant regenerative benefits can be demonstrated.</p>
<p>Shopping Proposal 4 – Within the secondary shopping areas identified on the Inset Maps redevelopment and changes of use of existing premises to retail or service uses will be considered favourably provided:</p> <p>1) The proposed development would not have any detrimental effects on the amenities of any nearby residential properties; and</p> <p>2) The proposed development would be well-related to the character and appearance of the street scene.</p>	<p>Area Action Plan Policy 3 – At the ground floor level of secondary frontages as identified on the proposals map, planning permission will be granted for class A1, A2, B1, D1 and D2 uses. Use classes A3, A4 and A5 will also be permitted provided that they do not adversely impact upon the vitality and viability of the town as a whole. Where proposals would result in an over-concentration of similar uses that would harm vitality, viability, local amenity including residential amenity, or safety, permission will be refused.</p>



Appendix 4

Use Class Audit 2012 for Wigston, also Illustrating Primary and Secondary Frontages





Appendix 5

Use Class Audit 2012 for Oadby, also Illustrating Primary and Secondary Frontages



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