

CHAPTER 2: STRATEGY

PARAGRAPHS 2.1 to 2.5 - THE STRATEGIC POLICY CONTEXT

Inspector's Recommendation

2.3 *I recommend that no modification be made in response to this objection.*

CBC Decision

Accept.

Reason

For the reasons set out in paragraph 2.2 in the Inspector's Report.

Proposed Modification

None.

PARAGRAPHS 2.6 to 2.11 - NATIONAL PLANNING POLICY GUIDANCE

Inspector's Recommendation

2.10 *I recommend that no modifications be made in response to these objections.*

CBC Decision

Accept.

Reason

For the reasons set out in paragraphs 2.5 to 2.9 in the Inspector's Report.

Proposed Modification

None.

POLICY ST/1 - OVERALL STRATEGY FOR CHARNWOOD

Inspector's Recommendation

2.105 *I recommend that:-*

- (i) *the Plan be modified in accordance with PC 3, PC 4, PC 5, PC 6, PC 7, PC 8, PC 9, PC 10, PC 11, PC 12 and PC 13.*
- (ii) *the Plan be further modified by the addition of the following statement at the end of paragraph 2.7 "Sustainable development seeks to deliver the objective of achieving, now and in the future, economic development to secure higher living standards while protecting and enhancing the environment. PPG1 paragraph 4 includes the commonly*

used definition, “development that meets the needs of the present without compromising the ability of future generations to meet their own needs”. The Council is committed to the principles of sustainable development”.

- (iii) *the Plan be modified further by the deletion of the words “PPG1 General Policies and Principles March 1992” in paragraph 2.11 and by the addition of the words “PPG1 General Policy and Principles February 1997”.*
- (iv) *paragraph 2.23 of the RJ be modified further by the addition of the following sentence after the words “non renewable resources”. “PPG1 paragraphs 4 to 7 give more recent advice for creating a more sustainable pattern of development ...”.*
- (v) *Policy ST/1 (i) of the Plan be modified further by the deletion of the phrase “ensures that development is sustainable” and by the addition of the phrase “generates sustainable patterns of development”.*
- (vi) *Policy ST/1 (v) be modified further by the deletion of the existing clause and by the addition of “identify areas of Green Wedge and other areas of open land necessary to preserve the separate identity of settlements and to ensure that as urban development takes place, undeveloped links to the countryside extending outwards from the urban areas are retained”.*
- (vii) *the RJ to Policy ST/1 (v) be modified further by the deletion of the final sentence of paragraph 2.31 and by the addition of the following: “To arrest this trend the Structure Plan requires the definition of structurally important areas of open land” (Green Wedges) around Loughborough and Leicester. The role of Green Wedges is to ensure that as urban development proceeds areas of open land are retained to prevent the coalescence of settlements and to preserve linkages to the countryside, together with the encouragement of their positive management. The inner boundaries of Green Wedges will be reviewed through successive Plan reviews and should not be confused with Green Belts, to which a greater degree of permanence attaches. The Structure Plan further allows for the identification of Areas of Local Separation between smaller communities where the other policies of the Plan would not provide sufficient security to prevent development which would lead to an unacceptable reduction in the separation of settlements contributing to a loss of character and identity.”*
- (viii) *the RJ to Policy CT/3 be modified further at paragraph 6.19 of the Plan as a consequence of the proposed modifications (vi) and (vii).*
- (ix) *the RJ be modified further at paragraph 2.48 by making reference to the National Forest as a major tourist resource in the Borough.*

CBC Decision

Accept (i), (ii), (iv), (v), (vi), (vii) & (ix).

Accept (iii), subject to further updating of the list of planning policy guidance notes.

Accept (viii) – see Proposed Modification M6.6.

Reason

For the reasons set out in paragraphs 2.30 to 2.104 in the Inspector’s report, and to reflect the government’s latest planning policy.

Proposed Modification**M2.1**

Insert new reasoned justification after 2.7 and modify paragraph 2.11.

Sustainable development seeks to deliver the objective of achieving, now and in the future, economic development to secure higher living standards while protecting and enhancing the environment. PPG1 paragraph 4 includes the commonly used definition,

“development that meets the needs of the present without compromising the ability of future generations to meet their own needs”.

The Council is committed to the principles of sustainable development.

2.8 [No Change].

2.9 [No Change].

2.10 [No Change].

2.11 In the interests of brevity, where reference is made in this local plan to specific Planning Policy Guidance Notes that reference is normally limited to its designatory number; for example “PPG12”. For ease of reference the relevant guidance notes and the matters to which they relate are summarised below:

PPG 1	General Policies Policy and Principles	March 1992 <u>February 1997</u>
PPG 3	Housing	March 1992 2000
PPG 4	Industrial and Commercial Development and Small Firms	November 1992
PPG 6	Town Centres and Retail Developments	July 1993 (Cons Draft 1995) <u>June 1996</u>
PPG 7	The Countryside and the Rural Economy <u>The Countryside – Environmental Quality and Social and Economic Development</u>	January 1992 <u>February 1997</u>
PPG 9	8 Nature Conservation <u>Telecommunications</u>	October 1994 <u>December 1992</u>
PPG 8	9 Telecommunications <u>Nature Conservation</u>	December 1992 <u>October 1994</u>
PPG 12	Development Plans and Regional Planning Guidance	February 1992 January 2000
PPG 13	Transport	March 1994
PPG 15	Planning and the Historic Environment	September 1994
PPG 16	Archaeology and Planning	November 1990
PPG 17	Sport and Recreation	September 1991
PPG 19	Advertisement Control	March 1992
PPG 21	Tourism	November 1992
PPG 22	Renewable Energy	February 1993
PPG 23	Planning and Pollution Control	July 1994
PPG24	Planning and Noise	September 1994

Modify Policy ST/1 and paragraph 2.23.
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2.20 POLICY ST/1

In providing for the development needs of the Borough measures will be taken to:

- i) pursue an overall strategy which ~~ensures that all development is sustainable~~ generates sustainable patterns of development and remains generally compatible in scale and character with its location and is adequately supported by existing or proposed services, amenities and infrastructure;
- ii) conserve, protect and enhance those features of the natural, historic and built environment which are particularly valued by the community and encourage patterns of development which minimise the emission of pollutants and promote the conservation of energy;
- iii) improve the quality of the environment through the achievement of defined standards in the design, layout and landscaping of all new development together with the promotion of selected enhancement schemes in areas of renewal, refurbishment or special attention;
- iv) ~~ensure~~ promote the beneficial use of all vacant, derelict and underused land;
- v) identify areas of Green Wedge and other open land necessary to preserve the separate identity of settlements and to ensure that as urban development takes place, undeveloped links to the countryside extending outwards from the urban areas are retained;
- vi) protect the character and appearance of the countryside for its own sake, especially within areas of particularly attractive countryside and other areas of local landscape value;
- vii) ~~facilitate the diversification of the rural economy, including the promotion of the new National Forest, while ensuring that due weight is given to the conservation of the best and most versatile agricultural land as a national resource;~~ ensure that considerable weight is given to the protection of the best and most versatile agricultural land, which represents a national resource;
- viii) facilitate the diversification of the rural economy, including the promotion of the national forest;
- ~~viii)~~ ix) identify sufficient land, in appropriate locations consistent with the Structure Plan, to provide for projected housing needs in the Borough over the period up to 2006 on sites of various size capable of producing the wide range of types and styles which the market requires including elements of rented, shared ownership or low cost housing for those of limited means and access housing specifically designed for the needs of an ageing population;

- ~~ix)~~ x) identify sufficient land, primarily through the retention and extension where appropriate of existing employment areas within the Borough, ~~particularly~~ in locations consistent with the Structure Plan to ensure the maintenance, diversification and expansion of investment and employment opportunities in the interests of sustaining a healthy local economy;
- ~~x)~~ xi) promote an integrated land use and transportation strategy with the aim of enabling the provision of appropriate infrastructure so as to reduce the need for dependence upon the private car and support the viability of existing and proposed public transport services in the interests of encouraging sustainable development and in support of the transport choice strategy;
- ~~xi)~~ xii) support the Government's proposed motorway and trunk road improvements and the ~~County Council's Transport Policies and Programme~~ Highway Authorities LTP's with a view to securing the implementation within the plan period of particularly those programmed schemes which offer wider benefits through the relief of heavy traffic flows in environmentally sensitive locations;
- ~~xii)~~ xiii) provide for the management of traffic and the extension of traffic calming measures in the interests in particular of pedestrians and cyclists;
- ~~xiii)~~ xiv) sustain and enhance the role of Loughborough as the principal centre within the Borough for shopping and allied services;
- ~~xiv)~~ xv) maintain the vitality and viability of established town, district and local centres throughout the Borough with additional provision of shops and services to contemporary standards in areas of need;
- ~~xv)~~ xvi) protect and improve urban open spaces for sport, recreation and amenity in accordance with defined standards together with the enablement of new outdoor and indoor facilities for recreation and entertainment in current areas of deficiency and in association with new development;
- ~~xvi)~~ xvii) develop and support tourist facilities and attractions ~~in the Borough~~ appropriate in scale and character to their location for the purposes of diversifying the rural economy and bringing about environmental improvements for the benefit of both residents and visitors to the area;
- ~~xvii)~~ xviii) facilitate the provision of the full range of buildings and amenities for education, health, public services, community centres and places of worship necessary for the social and cultural well being of the whole community; and
- ~~xviii)~~ xix) ~~encourage the active involvement of self help groups and the voluntary sector.~~

SUSTAINABLE DEVELOPMENT AND GROWTH

- 2.23 The concept of sustainable development and growth is a fundamental principle which underlies all current Government planning advice. In essence the objective is to ensure that adequate provision is made to meet development needs in balance with the need to protect the natural and built environment for the benefit of future generations. PPG12 advises local planning authorities, in preparing their local plans, to have regard to not only the traditional

environmental concerns but also more recent issues such as the effect of policies upon global warming and the consumption of non renewable resources. PPG1 paragraphs 4 to 7 give more advice for creating a more sustainable pattern of development. The issue of sustainability therefore provides the foundation for the local plan and its practical application is evident in the aims of the strategy.

Proposed Modification
M2.3

Modify paragraph 2.31.

GREEN WEDGE AND LOCAL SEPARATION

- 2.31. Open land provides a contrast and a foil to areas of urban development. Local communities value their separate identities and view with concern additional building which threatens to bring about the coalescence of settlements. These concerns are felt particularly acutely in Charnwood where incremental growth around the margins of Loughborough and Leicester, and around the tightly grouped settlements along the Soar and Wreake Valleys, has already eroded significantly areas of remaining open land between communities. To arrest this trend the Structure Plan requires the definition of, “structurally important areas of open land” (Green Wedges) around Loughborough and Leicester, ~~and allows for the identification of areas of local separation in the case of smaller settlements.~~ The role of Green Wedges is to ensure that as urban development proceeds areas of open land are retained to prevent the coalescence of settlements and to preserve linkages to the countryside, together with the encouragement of their positive management. The inner boundaries of Green Wedges will be reviewed through successive Plan reviews and should not be confused with Green Belts, to which a greater degree of permanence attaches. The Structure Plan further allows for the identification of Areas of Local Separation between smaller communities where the other policies of the Plan would not provide sufficient security to prevent development which would lead to an unacceptable reduction in the separation of settlements contributing to a loss of character and identity.

Proposed Modification
M2.4

Modify paragraph 2.33 and its heading.
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~~RURAL ECONOMY~~ AGRICULTURAL LAND

- 2.33 Government policy, articulated through PPG7, ~~recognises the shift in priorities brought about by efficient farming practices and changes in agricultural policy. The emphasis has now moved away from agricultural production necessitating the diversification of the rural economy to provide alternative employment opportunities for rural communities. However new rural enterprises need to respect and maintain the character and appearance of the countryside and preferably avoid the loss of the best and most versatile agricultural land which remains a national resource for the future.~~ continues to recognise the importance of protecting agricultural land falling within grades 1, 2 and 3a. Considerable weight should be attached to protecting such land from development because of its special importance. The adopted Structure Plan endorses this approach but acknowledges that in some cases the loss of such land will be unavoidable where there are no other suitable sites for the particular purpose intended.

Proposed Modification**M2.5**

Delete paragraph 2.34 and replace with a new paragraph 2.34 under a new heading.

RURAL DIVERSIFICATION

- 2.34. ~~The strategy also recognises the role of the new National Forest, for improving the landscape, providing new recreation opportunities and enabling rural diversification. Government policy also recognises the shift in priorities brought about by efficient farming practices and changes in agricultural policy. The emphasis has now moved away from agricultural production necessitating the diversification of the rural economy to provide alternative employment opportunities to sustain viable rural communities. However new rural enterprises must remain compatible with the countryside environment and respect parallel policies directed towards the preservation of amenity and protection of best and most versatile agricultural land. The National Forest currently being fostered in the western parts of the Borough offers the prospect of diversification into recreation and leisure while promoting commercial and amenity woodland.~~

Proposed Modification**M2.6**

Modify paragraph 2.48.

TOURISM

- 2.48 Tourism can make a major contribution to the local economy and act as a positive force for environmental protection and enhancement for the benefits of both residents and visitors. The principal assets of the Borough are the Great Central Steam Railway, the Grand Union Canal, the National Forest, the historic towns and villages and the attractive areas of countryside, particularly Charnwood Forest. Many proposals of the local plan will support the promotion of tourism but there is also a need to ensure that the best and most attractive aspects of the environment are not damaged by excessive pressure.

Proposed Modification**M2.7**

Delete paragraph 2.50 and its heading.

VOLUNTARY GROUPS

- 2.50 ~~Throughout the local plan it is recognised that the limited availability of resources is likely to restrict public sector investment to only the highest priority schemes. It is anticipated that self help groups and the voluntary sector will continue to emerge and respond to particular development proposals which cannot be otherwise funded. The strategy aims to encourage the endeavour of such groups.~~

PARAGRAPHS 2.51 to 2.60 - STRATEGY FOR THE LOCATION OF DEVELOPMENT**Inspector's Recommendation**

- 2.137 *I recommend that the Plan be modified in accordance with PC 14, FPC 15A and PC 22.*

CBC Decision

Accept, subject to re-wording to reflect the government's latest policy approach to new settlements contained in PPG3 (FPC15A).

Reason

For the reasons set out in paragraphs 2.107 to 2.136 in the Inspector's Report.

Proposed Modification**M2.8**

[Note: Aspects of this Proposed Modification rely upon the Council's Further Proposed Changes which have not previously been subject to public consultation]

Insert new reasoned justification after paragraph 2.49.

SUB AREA STRATEGY

Further to the consideration of representations received upon the Consultation Draft Local Plan the Council has undertaken a review of its strategy in an attempt to translate the broad aims set out in Policy ST/1, to tackle specific local problems and opportunities. To assist in this exercise a sub area based assessment has been employed.

The sub areas have previously guided local plan preparation in the Borough and have been defined having regard to housing market areas, patterns of journeys to work, community identities and physical characteristics. With minor amendments in recognition of the strategic significance of the transport choice corridors, the sub areas remain relevant to the effective targeting of local plan policies. The sub areas are shown in Figure 2 and the defined aims for each may be summarised as follows:

- i) Loughborough
 - to ensure continuing employment opportunities
 - to develop and improve the town centre
 - to reinforce the advantages of concentration
 - to develop alternatives to the car especially public transport, walking and cycling
 - to build on the towns advantages for new technology
 - to tackle inner area problems
 - to conserve and foster a sense of community supported by appropriate social infrastructure
- ii) Shepshed
 - to improve the town centre
 - to maintain the good jobs balance
 - to improve the environment
 - to promote alternative means of transport
 - to protect open land
 - to conserve and foster a sense of community supported by appropriate social infrastructure
- iii) Soar Valley (including Birstall)
 - to improve local facilities
 - to improve local job opportunities
 - to develop public transport initiatives, especially along the old A6
 - to protect open land
 - to develop cross valley links

- to secure environmental improvements
 - to provide opportunities for the provision of affordable housing
 - to conserve and foster a sense of community supported by appropriate social infrastructure
- iv) Wreake Valley (including Thurmaston)
- to maintain/improve local job opportunities
 - to secure the provision of new stations
 - to improve the potential of the A607 for buses
 - to improve Syston/Thurmaston town centres
 - to protect physical separation
 - to provide opportunities for the provision of affordable housing
 - to conserve and foster a sense of community supported by appropriate social infrastructure
- v) Forest, the Wolds and the rural South East
- to preserve local jobs
 - to encourage rural diversification
 - to protect rural character
 - to provide for local housing needs
 - to conserve and foster a sense of community supported by appropriate social infrastructure

Proposed Modification**M2.9**

Modify paragraph 2.54 and insert new reasoned justification after paragraph 2.56.

- 2.54 Designation as a transport choice corridor does not imply continuous ribbon development along the route but rather identifies the opportunity for concentrating new development, primarily within comfortable walking distance, of a railway halt or bus stop on the corridor. New railway stations have been provided at Barrow upon Soar, Sileby and Syston as part of the “Ivanhoe Line” initiative while, in the longer term stations may be provided at Thurmaston and East Goscote. Regular bus services along the former A6 are already operational while dedicated cycle lanes and paths have also been provided along sections of the route.
- 2.55 [No Change].
- 2.56 [No Change].

The Structure Plan also includes provision for the enablement of new settlements without advocating their development. The Explanatory Memorandum advises that it is expected that any such proposals should come forward through the local plan process and remain entirely consistent with the strategy and policies of the Structure Plan. Strategy Policy 6 of the Structure Plan defines the criteria against which new settlement proposals are to be assessed. Criterion (b) relates to the need for the development to be in a location which offers, or will offer realistic choice of transport.

The emphasis of government policy in PPG3 is that if new settlements are to be acceptable they must create the right balance of homes, jobs and services and be in locations that are accessible by good quality public transport services. PPG13 cautions against small new settlements, especially where they are unlikely to be well served by public transport and are unlikely to be capable of being largely self contained.

The government fully expects that all new settlement proposals should either be brought forward through regional planning guidance or the development plan process.

POLICY ST/2 - LIMITS TO DEVELOPMENT

Inspector's Recommendation

2.183 *I recommend that:-*

- (i) *the Plan be modified in accordance with PC 16, PC 17, PC 18, PC 19, PC 20, PC 21a and FPC 21A.*
- (ii) *having regard to my conclusions at paragraph 2.159, the Plan be modified further by amending the definition of the Limits to Development at Green Lane, Seagrave to include all existing buildings and to broadly reflect the boundary of the Conservation Area.*

(recommendation (i)- as amended by Addendum to Inspector's report dated 6/9/2000)

CBC Decision

Recommendation (i):

For PC's 16, 17, 18, 20, 21a and FPC 21A: accept subject to an additional amendment to Limits to Development at 142 Mountsorrel Lane, Rothley to reflect recent appeal decision.

For PC 19 Land at Armston Road, Quorn: reject with modification.

Recommendation (ii):

Reject

Reasons

Recommendation (i):

For the reasons set out in paragraphs 2.145, 2.149, 2.151, 2.152, 2.166, 2.176 and 2.177 in the Inspector's Report.

Armston Road, Quorn:

The site is considered to be part of the parkland and should be afforded the same protection as parkland. The Inspector's recommendation that the Plan be modified in accordance with PC19 should, therefore, be rejected and the Limits to Development should conform with the line identified in the Soar Valley Local Plan.

All the parkland should remain part of the Charnwood Forest Area of Particularly Attractive Countryside (APAC). That is the policy set out in the County Structure Plan which will remain extant until the end of the period of the new Charnwood Local Plan.

National planning policy has changed since the Charnwood Local Plan Inquiry some 4 years ago, and now emphasises that development of greenfield sites should be avoided wherever possible. PPG3 draws attention to the sensitivity of greenfield locations and the need to avoid their use, and to the importance of retaining Areas of Particularly Attractive Countryside.

Development on this site would be in conflict with the Council's emerging Local Plan policies and the Structure Plan.

Local Plan policy ST/1 aims to protect the character and appearance of the countryside for its own sake, particularly within APAC's. Structure Plan Strategy Policy 4 and Local Plan Policy CT/3 do not normally allow for new housing in the countryside and seek to protect the character of the Charnwood Forest APAC by permitting only essential development. Structure Plan Strategy Policy 3 aims to prevent any adverse impact on the character of the APAC.

A recent appeal decision emphasises that the site is part of the rural setting to Quorn. The Council refused a planning application on this site. The applicant went to appeal and in dismissing the appeal the Inspector highlighted the sensitive nature of the site, its importance in forming part of the landscape setting to this edge of Quorn, and the importance of a number of trees, now the subject of a Tree Preservation Order (TPO), which was confirmed by this Council as recently as last month. These trees provide a softening of the village edge.

142 Mountsorrel Lane, Rothley:

A recent appeal decision granted permission for residential development on land to the rear of 142 Mountsorrel Lane, Rothley. In allowing the appeal, the Inspector in this case concluded that the Limits to Development and Area of Local Separation boundary as shown on the Proposals Map was illogical. These boundaries should be re-drawn to include the triangle of land to the rear of the property within the development limits and as a consequence remove it from the Area of Local Separation from this land, in line with the appeal decision (see Proposed Modification M2. below).

Recommendation (ii):

Paragraph 2.159 of the Inspector's report concludes that the northern end of the village forms part of the built-up area of Seagrave and this is supported by recent developments in the vicinity. He recommends therefore that the limits to development should include all existing buildings around Green Lane and broadly reflect the Conservation Area boundary.

At this northern end of the village the Conservation Area boundary is defined and includes two farm complexes comprising a mix of historic and modern functional agricultural buildings along with a number of other non-residential buildings and areas of countryside on the built – up edge of the village. It is considered that these buildings are of a loose knit and fragmented form and more associated with the surrounding countryside than the residential core of the village. In visual terms they relate closely to adjacent agricultural land and retain a more rural character on the settlement edge. A more modest extension to the limits to development to include only the residential properties and adjacent land fronting Green Lane would more appropriately protect the rural character of the area and the historic pattern of development within the Conservation Area.

As the Inspector quite rightly points out at paragraph 2.140 not all land within a defined limits to development may be acceptable for development. In this instance, the openness of the pasture land lying between No.49 Green Lane and Corby Leys is considered to be critical to the character and form of this part of the settlement. It is therefore recommended that this land be designated as an Open Space of Special Character where Policy EV/21 would apply.

Proposed Modification

M2.10

Amend the notation of the policy on the key to comply with that indicated on the Proposals Map.

Proposed Modification**M2.11**

Amend the Proposals Map to include within the Limits to Development for Mountsorrel that part of land at 168a Loughborough Road which is unaffected by washland. This same area is deleted from the Area of Local Landscape Value designation. (See Plan M2.11).

Proposed Modification**M2.12**

Amend the Proposals Map to exclude agricultural buildings at Lower Lenthills Farm, Newtown Linford from the Limits to Development as shown on Plan M2.12.

Proposed Modification**M2.13**

To conform with the Limits to Development identified in the Soar Valley Local Plan amend the Proposals Map to include within the Limits to Development No 7 Armston Road, Quorn, and exclude land south of the wall to the Old Kitchen Garden, and designate this land as part of the Charnwood Forest APAC as shown on Plan M2.13.

Proposed Modification**M2.14**

Amend the Proposals Map to include within the Limits to Development for Seagrave the land and buildings at Green Lane, and designate the open land between No.49 Green Lane and Corby Leys as an Open Space of Special Character as shown on Plan M2.14.

Proposed Modification**M2.15**

Amend the Proposals Map to include within the Limits to Development for South Croxton the land to the rear of 32 Kings Lane defining a curtilage in line with neighbouring houses as shown on Plan M.2.15

Proposed Modification**M2.16**

Amend the Proposals Map to include within the Limits to Development for Woodhouse the land at The Pastures, Forest Road and adjoining land to the rear of 227 Forest Road bounded by an existing hedgerow as shown on Plan M2.16.

Proposed Modification**M2.17**

Amend the Proposals Map to include a triangle of land to the rear of 142 Mountsorrel Lane, Rothley within the Limits to Development and remove it from the Area of Local Separation, as shown on Plan M2.17

POLICY ST/3 - INFRASTRUCTURE**Inspector's Recommendation:**

2.198 *I recommend that the Plan be modified in accordance with PC 23 and PC 24.*

CBC Decision

Accept.

Reason

For the reasons set out in paragraphs 2.185 to 2.197 in the Inspector's Report.

Proposed Modification**M2.18**

Delete Policy ST/3 together with paragraphs 2.64 to 2.70 and replace with new Policy ST/3 and reasoned justification.

2.63 POLICY ST/3

~~Where sites which are allocated for development in this Local Plan, or which otherwise conform with its general provisions, give rise to a specific need for reasonably related infrastructure or community facilities, planning permission will be granted for the development concerned only after the owners, applicants or developers involved have first entered into a legal agreement, finalised through negotiation with the Borough Council, to secure the provisions required.~~

~~Such provisions will take the form of contributions from developers and may include:~~

- ~~i) the provision of off-site infrastructure to ensure adequate provision for transportation, water supply, treatment and drainage, and the reinforcement of utilities; and/or~~
- ~~ii) the provision of on or off site facilities to secure adequate provision for the social, educational, recreational, sporting and community needs of the development; and/or~~
- ~~iii) the provision of facilities or amenities to offset the impact of the development on existing resources or the environment.~~

~~2.64 It is clear that in many areas improvements in provision for transport, other essential infrastructure and community facilities have often failed to keep pace with new development. The gap between need and provision has widened as the main providing agencies have found competing demands for diminishing resources.~~

~~2.65 In the face of these trends it is now commonly accepted that the provision of infrastructure and community facilities at the cost of the landowner or developer, is a material consideration in the determination of a planning application for development of a substantial nature.~~

~~2.66 DoE Circular 16/91: Planning Obligations expands upon the role of planning obligations and unilateral undertakings (previously known as "planning gain") and provides guidance for their usage. Obligations must first pass one or other of the tests of reasonableness which Circular 16/91 advises would depend upon whether what is required:~~

- ~~i) is needed for the development to go ahead, or~~
- ~~ii) in the case of financial payment, will contribute to meeting the cost of providing such facilities in the near future; or~~

- iii) ~~is otherwise so directly related to the proposed development and to the use of the land after its completion, that the development ought not to be permitted without it, or~~
- iv) ~~is designed in the case of mixed development to secure an acceptable balance of uses; or~~
- v) ~~is intended to offset the loss of or impact on any amenity or resource present on the site prior to development.~~

2.67 ~~Obligations should not be sought where there is no connection between what is required and the development proposed or where the relationship is too remote to be considered reasonable. Having passed a test of reasonableness a further test must then be applied. This is whether the extent of what is required is fairly and reasonably related in scale and kind to the proposed development.~~

2.68 ~~In the negotiation of contributions towards the provision of necessary infrastructure or other legitimate planning obligations the Borough Council will take into account the extent to which the development proposed can reasonably assist in the achievement of the defined aims for each sub area.~~

2.69 ~~The sub areas have previously guided local plan preparation in the Borough and have been defined having regard to housing market areas, patterns of journeys to work, community identities and physical characteristics. With minor amendments in recognition of the strategic significance of the transport choice corridors, the sub areas remain relevant to the effective targeting of local plan policies. The sub areas are shown in Figure 2 and the defined aims for each may be summarised as follows:~~

i) ~~Loughborough~~

- ~~• to ensure continuing employment opportunities~~
- ~~• to develop and improve the town centre~~
- ~~• to reinforce the advantages of concentration~~
- ~~• to develop alternatives to the car especially public transport, walking and cycling~~
- ~~• to build on the towns advantages for new technology~~
- ~~• to tackle inner area problems~~
- ~~• to conserve and foster a sense of community supported by appropriate social infrastructure~~

ii) ~~Shepshed~~

- ~~• to improve the town centre~~
- ~~• to maintain the good jobs balance~~
- ~~• to improve the environment~~
- ~~• to promote alternative means of transport~~
- ~~• to protect open land~~
- ~~• to conserve and foster a sense of community supported by appropriate social infrastructure~~

iii) ~~Soar Valley (including Birstall)~~

- ~~• to improve local facilities~~
- ~~• to improve local job opportunities~~
- ~~• to develop public transport initiatives, especially along the old A6~~
- ~~• to protect open land~~
- ~~• to develop cross valley links~~
- ~~• to secure environmental improvements~~
- ~~• to provide opportunities for the provision of affordable housing~~

- to conserve and foster a sense of community supported by appropriate social infrastructure
- iv) Wreake Valley (including Thurmaston)
- to maintain/improve local job opportunities
 - to secure the provision of new stations
 - to improve the potential of the A607 for buses
 - to improve Syston/Thurmaston town centres
 - to protect physical separation
 - to provide opportunities for the provision of affordable housing
 - to conserve and foster a sense of community supported by appropriate social infrastructure
- v) Forest, the Wolds and the rural South East
- to preserve local jobs
 - to encourage rural diversification
 - to protect rural character
 - to provide for local housing needs
 - to conserve and foster a sense of community supported by appropriate social infrastructure

2.70 Consultation with the appropriate authorities at an early stage in the development process, and preferably before the acquisition of the land concerned, is recommended in order to ensure that the precise nature of any requirements is fully appreciated and incorporated into the submitted proposals.

POLICY ST/3

When granting planning permission for new development which would not be acceptable without reasonably related infrastructure or community facilities, the Borough Council will seek to secure their provision by entering into a legal agreement with the owners, applicants or developers involved and will negotiate accordingly.

Developers may be invited to provide and contribute towards:

- i) **the provision of off-site infrastructure to ensure adequate provision for highways, public transport and storm drainage; and/or**
- ii) **the provision of on or off site facilities to secure necessary provision for the social, educational, recreational, sporting and community needs of the development; and/or**
- iii) **the provision of affordable or special needs housing; and/or**
- iv) **the provision of facilities or amenities to offset or mitigate the impact of the development on existing recreation resources, protected habitats and species or recognised heritage sites**

It is clear that in many areas improvements in provision for highways, public transport other essential infrastructure and community facilities necessary to sustain high standards in the quality of life, have often failed to keep pace with new development. The gap between need and provision has widened as the main providing agencies have had to address competing demands for diminishing resources.

In the face of these trends it is now commonly accepted that the provision of reasonably related infrastructure and community facilities at the expense of the development is a material consideration in the determination of a planning application for development of a substantial nature.

Government policy set out in Circular 1/97 sets out the circumstances in which local planning authorities may enter into negotiations with developers to secure planning obligations (previously known as "planning gain"). Policy ST/3 sets out the type of obligations which the Borough Council will seek to negotiate in relation to new development proposals in situations where planning obligations cannot be overcome by the imposition of a condition.

In conducting negotiations the Borough Council will at all times have regard to the tests of reasonableness set out in the Circular; i.e. that what is being sought must be:

- i) needed to enable the development to go ahead, or, in the case of a financial payment, would meet or contribute towards the cost of providing such facilities in the near future;
- ii) necessary from a planning point of view and so directly related to the proposed development and to the use of the land after its completion that the development ought not to be permitted without it;
- iii) fairly and reasonably related in scale and kind to the proposed development and
- iv) reasonable in all other respects.

Applicants for new development that would otherwise be acceptable but would give rise to traffic problems to the detriment of highway safety or occasion unacceptable environmental harm will be encouraged to enter into a planning obligation to secure satisfactory improvements to the local road system and/or facilitate improvements to encourage wider use of public transport, cycling and walking.

In the pursuit of measures to give effect to the Structure Plan's Transport Choice Strategy the Borough Council will encourage developers to contribute towards the improvement of public transport infrastructure (new or improved bus and rail services) cycleways and footpaths, where facilities are required to meet the criteria for transport choice, necessary to serve adequately their development.

Where new developments would overload the capacity of the existing drainage system the applicants will be encouraged to enter into planning obligations to provide additional capacity and or balancing lagoons as necessary. Implementation will be undertaken in accordance with Policies EV/36 and EV/37.

Where a development would generate the need for new educational or community facilities within or near to the site then the applicants will be encouraged to enter into a planning obligation to secure or enable provision of the facilities.

Where open space cannot be provided on site in accordance with the standards set out in Policies RT/3, RT/4 and RT/5 the Borough Council will encourage applicants to enter into a planning obligation to enable the provision of the space required in an alternative location reasonably accessible from the development site.

Policy H/4 provides for the provision of affordable housing as exceptions to normal policy in rural areas. Policy H/3 provides for the negotiation of affordable housing on allocated sites. In granting planning permission for such schemes, applicants will be invited to enter into a planning obligation to ensure that such housing remains available as affordable housing in perpetuity.

Where development, unavoidably, affects adversely areas of recreation land, protected wildlife habitats or species, regionally important geological sites, archaeological sites, listed buildings or conservation areas applicants will be invited to enter into planning obligations to minimise, mitigate or compensate for any loss or injury occasioned.

Policy ST/3 refers to the main circumstances where the Borough Council would be likely to encourage applicants to enter into planning obligations. The list is not intended to be comprehensive and other situations may arise where the Council will seek the use of planning obligations as part of the development control process. Accordingly to avoid delay and confusion prospective developers are recommended to enter into discussions with the local planning authority at an early stage in the development process, and preferably before the acquisition of the land concerned.

Where it is known already what specific planning obligations the Borough Council will seek to negotiate with respect to the developments proposed in this Plan those obligations are set out under the particular allocations concerned.