

Leicester
City Council

WARDS AFFECTED
ALL

Cabinet

June 25th 2001

The Replacement City of Leicester Local Plan

Report of the Director of Environment, Development and Commercial Services

1. Purpose of Report

- 1.1 To obtain Cabinet approval for the contents of the draft Replacement City of Leicester Local Plan and agreement to place the Plan formally "on deposit".

2. Summary

- 2.1 The City Council as the Local Planning Authority has a statutory duty to prepare and keep up to date a Local Plan which covers its administrative area. The Replacement City of Leicester Local Plan was considered by Cabinet on 9th April and has since been considered by Development Control Sub Committee, Strategic Planning and Regeneration Scrutiny Committee and (at the request of Cabinet) a specially convened Member Steering Group. Details of this process are attached as Appendices to this report.

- 2.2 I also wish to report to members the details of an additional meeting involving the Leicester City Regeneration Company (LCRC) which considered the Plan at a Board meeting on May 15th. LCRC appreciated the importance of the Local Plan and the need to ensure that the Plan's policies and proposals were consistent with, and complementary to, its own ambitions for regeneration in Leicester.

- 2.3 I feel that they are; and sought at the meeting to reassure LCRC that the value of an up to date Local Plan would be fundamental to our mutual objectives. LCRC's principal concern related to the timetable, which they felt would allow them insufficient time to play as full a part as they would like in the plan making process. In response to this I am proposing that instead of placing the Plan on public deposit on Sept 10th as I had previously indicated, the Plan should now be deposited on October 15th. and the timetable revised accordingly.

3. Recommendations

- 3.1 **That the Replacement City of Leicester Local Plan be approved for consultation purposes and that the Director of Environment, Development and Commercial Services move to place the Plan on deposit in accordance with the timetable set out in the background papers to this report.**

3.2 That authority be delegated to the Director of Environment, Development and Commercial Services in consultation with the Cabinet lead member for Strategic Planning and Regeneration to make updates, corrections and minor alterations as necessary to the Plan during the course of its preparation for deposit.

4. Headline Financial and legal Implications

4.1 The production of a city wide Local Plan is a key statutory function of the City Council. Costs of production and consultation will be met from existing budgets. Members will be aware from my previous report that there is likely to be a budgetary pressure next year to meet the anticipated costs of a Local Plan Public Inquiry.

5. Report Author/Officer to contact:

Niles Holroyde Extn. 252 7220



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The Replacement City of Leicester Local Plan

SUPPORTING INFORMATION

1. Report

- 1.1 It is not proposed to repeat here the text from my previous report to Cabinet in April although it remains pertinent.
- 1.2 Issues raised and changes made to the Plan as a result of its consideration by Development Control Sub Committee, Strategic Planning and Regeneration Scrutiny Committee and (at the request of Cabinet) a specially convened Member Steering Group, and other factors are attached as appendices to this report.
- 1.3 I do however wish to report to members the details of an additional meeting involving the Leicester City Regeneration Company (LCRC) who considered the Plan at a Board meeting on May 15th. LRC appreciated the importance of the Local Plan and the need to ensure that the Plan's policies and proposals were consistent with, and complementary to, its own ambitions for regeneration in Leicester.
- 1.4 I feel that they are; and sought at the meeting to reassure LCRC that the value of an up to date Local Plan would be fundamental to our mutual objectives. LCRC's principal concern related to the timetable, which they felt would allow them insufficient time to play as full a part as they would like in the plan making process. In response to this I am proposing that instead of placing the Plan on public deposit on Sept 10th as I had previously indicated, the Plan should now be deposited on October 15th. (A revised timetable forms a background paper to this report.)
- 1.5 Additionally I feel that there would be clear advantages to having the LCRC more closely involved in local plan production. This matter was discussed at some length at the meeting of the Local Plan Member Steering Group. As a result of which I have written to the LCRC inviting them to join that Group to help provide advice and guidance to officers over the form and contents of the Plan as it evolves. A copy of this letter is included in the background papers to this report.

FINANCIAL, LEGAL AND OTHER IMPLICATIONS

2. Financial Implications

Costs of producing the Plan and carrying out the necessary consultation will be met from existing budgets. However there are concerns about the cost of the Local Plan Inquiry anticipated towards the end of 2002. Current budgetary provision has been increased by £20,000 this year, but this is likely to be consumed by the Leicestershire, Leicester and Rutland Structure Plan Examination in Public, which commences on June 26th. The costs of the Local plan Inquiry are dependent on its length and will have implications for budgetary provision at that stage. This will be addressed in next year's budget strategy.

3. Legal Implications

The Local Plan forms part of the statutory development plan for the city as required by the Town and Country planning Act 1990. Public consultation procedures are covered by government regulations and a national code of practice.

4. Other Implications

OTHER IMPLICATIONS	YES/NO	Paragraph References Within Supporting information
Equal Opportunities	YES	3.5 – 3.7*
Policy	YES	3.5 – 3.7*
Sustainable and Environmental	YES	3.5 – 3.7*
Crime and Disorder	YES	3.5 –3.7*
Human Rights Act	YES	Planning policies can have implications for the peaceful enjoyment of land and property

* relates to paras. In report to Cabinet April 9th

5. Background Papers – Local Government Act 1972

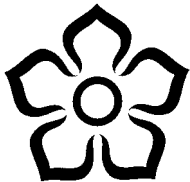
Replacement City of Leicester Local Plan - Draft Deposit Copy – April 2001
And File Ref ED/PR/DP/L.1

6. Consultations

The Local Plan has been the subject of wide ranging and longstanding consultation procedures within the Council. (Detailed in report to cabinet dated April 9th). The Plan has also been discussed with the Board of the Leicester Regeneration Company

7. Report Author

Niles Holroyde Extn. 252 7220



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APPENDIX 1

**REPLACEMENT LOCAL PLAN MEMBERS STEERING
GROUP**

Meeting Date
30TH MAY 2001

CHANGES TO THE REPLACEMENT LOCAL PLAN

Report of the Director of Environment, Development and Commercial Services

1. Purpose of the Report

To put before Members suggested changes to the Replacement Local Plan partly as a result of issues raised at Development Control Sub-committee and Strategic Planning and Regeneration Scrutiny Committee.

2. Recommendations

That Members endorse these changes so that a revised Replacement Local Plan can be recommended to Cabinet as the Deposit Draft version which will go out to public consultation.

3. Report

Suggested changes to the Plan that have arisen as a result of the extensive debate at Development Control Sub-Committee and Strategic Planning and Regeneration Scrutiny Committee can be found at the end of this report.

Other significant changes to the Replacement Local Plan

Extension of the proposed St Augustines Road PDA to include the block between Bath Lane and Talbot Lane

This block is shown on the current Local Plan as white land to the north and an employment area to the south. Although it is all still predominantly industrial and commercial the original houses along Talbot Lane could form the nucleus of a mixed use area if they were to return to residential use. It is therefore proposed to extend the adjacent St Augustine's Road PDA to include this block.

Proposed new Evington Valley Road PDA

Trelleborg, who currently occupy the old Dunlop factory on Evington Valley Road have announced their intention to move to new premises on Bursom Business Park. As a result a 4 hectare site of imposing old factory premises is likely to lie vacant for some time. In order to

encourage regeneration of this site it is proposed to allocate this as a Potential Development Area in which a mix of uses will be encouraged.

Although this PDA would lie outside the Strategic Regeneration Area this presents an opportunity to significantly improve the local environment while providing both jobs and homes for local people.

Green Travel Plans

Policy AM10 covering green travel plans has been amended to reflect the recent government advice in Revised PPG13. A travel plan submitted alongside a planning application which is likely to have significant transport implications should now incorporate complementary measures designed to 'address traffic speeds, road safety, personal security, monitoring and enforcement of travel plans'. This is departure from the previous advice in Draft PPG13, which only refer to incorporating measures to encourage users of the development to use modes of transport other than the car to access the site.

Maximum Parking Standards

To reflect the less stringent approach to maximum parking standard advocated in Revised PPG13, additional supporting text has been added to Policy AM12 on parking. Planning permission for parking provision for non-residential development that exceed the maximum standards specified in the Draft Supplementary Planning Guidance (SPG) on vehicle parking will only be granted in exceptional circumstances, if an applicant can demonstrate through a Transport Assessment that a higher level of parking is required and that serious road safety or amenity problems would otherwise arise. This is significant departure from the previous advice in Draft PPG13, which did not allow parking to exceed the maximum parking standards.

Central Pedestrian Zone

A new Central Pedestrian Zone (CPZ) (i.e. the central core of the city centre where pedestrian measures preclude access to vehicles and parking spaces) has been incorporated into the Draft SPG on Parking, where a maximum parking standard of 'nil' will be applied to all non-residential development. This reflects the advice arising from the Draft Regional Planning Guidance (RPG8) for the East Midlands and a similar approach to parking provision is advocated in Nottingham and Derby City Centre.

4. Report Author/Officer to contact:

Niles Holroyde, Development Plans Group
Extension 7220

APPENDIX 2

Issues arising from Strategic Planning and Regeneration Scrutiny Committee/ Development Control Sub-Committee 8/9 May 2001.

- 1. Brownfield Development Target:** Is 60% of housing development on brownfield sites realistic and achievable?

Response: In recent years annual figures of up to 77% have been achieved, largely due to the number of flat conversions in the city centre. However, further development at Beaumont Leys and Hamilton may reduce the proportion over the Plan period. The Plan contains a target of at least 60% housing development on brownfield sites and it is a national target in PPG 3 to be achieved by 2008. The Plan introduces new policies that seek to ensure that regeneration in appropriate Potential Development Areas includes some residential units (SPA 02) and further City Centre conversions are encouraged (SPA 08). A table showing recent brownfield/greenfield housing figures is attached.

CHANGE TO PLAN: None. But targets will be monitored annually in future regular reports. More detailed site development guidance will seek to ensure the optimum re-use of sites for residential development See below (2).

- 2. Regeneration:** The Plan does not address the poor quality of approach along arterial routes into the city eg. empty sites along main routes such as Humberstone Road. Bede Island North is already becoming run down. CPO powers are important in long term regeneration plans.

Response: Underpinning the overall strategy of the replacement plan is support for the full range of regeneration initiatives across the City (ST08). For the first time the Local Plan includes a chapter entitled Special Policy Areas which gathers together policies concerning the main development and regeneration opportunities.

The Local Plan, which by its nature deals with the use of land, aims to facilitate the development of vacant and underused sites. It sets the strategic framework by highlighting Potential Development Areas within the Strategic Regeneration Area boundary (which is also the focus for the new Urban Regeneration Company). These are shown on the Proposals Map. The new Local Plan sets out the uses that will be encouraged on particular sites, thus giving the development industry greater certainty and cutting down time on unsuitable proposals (see policy SPA01).

As development appears to be more imminent on any Potential Development Area, the Urban Design Team will prepare, (in consultation with land owners and other interested parties), detailed site development guidance which will be used in pre application discussions with developers. The list is included as an Appendix to the Local Plan. By the end of the Local Plan period there should be urban design/site development guidance for all Potential Development Areas. In addition, Urban Design policies in the Plan seek to ensure a high quality layout and appearance to new development.

Compulsory Purchase powers will be considered by the City Council to achieve comprehensive development on key sites and are only likely to be successful against an up to date Local Plan

background. Although CPO is mentioned in the Implementation Chapter there may need to be a more prominent reference in the Strategic Themes or Special Policy Areas chapters.

New development on the vacant sites will only be achieved by partnership working and private sector investment in the sites. The Local Plan can only set the planning, transportation and design framework to enable this to happen over the next ten or so years. It will be up to EMDA and other funding bodies, the Urban Regeneration Company and the Leicester Regeneration Agency with, most importantly, all the commercial development partners to make the aspirations a reality.

CHANGE TO PLAN: The importance of the quality of the built environment on major radial routes into the City in the Urban Design chapter of the Plan will be emphasised. The boundaries of PDAs that adjoin radial routes will be reconsidered to take this aspect into account. A more prominent reference will be made to Compulsory Purchase.

3. **Area around the NSC:** What is the vision for Abbey Meadows, John Ellis School and BUSM? What about hotel development?

Response: The plan recognises that there is development potential on both sides of the river. Land between Abbey Lane and the River Soar, south of the NSC (Abbey Meadows) is allocated as a Business Park (E16) where permission will be granted for high quality B1 (except major office development) and B2 uses. Uses that are complementary to a high quality Business Park or the NSC will be considered on their merits. This will help address the need for strategic high quality employment sites within Leicester, identified as a priority by the draft RPG for the East Midlands. E08 also identifies the area as suitable for a high quality science and technology park.

SPA01 sets out the range of acceptable land uses for the Ross Walk (BUSM) and Abbey Park Road PDAs, which include hotel and leisure facilities. There are no specific proposals for John Ellis School because its future is still uncertain. AM 23 reserves Abbey Lane/Loughborough Road Link.

CHANGE TO PLAN: An extension to the Abbey Park Road PDA to include all the land between the River Soar and the National Space Centre to the west and the canal and the Ross Walk PDA to the east is proposed. This will allow a more comprehensive regeneration focus to be given to the Abbey Meadows Priority Investment Area.

4. **Affordable housing:** Could there be more flexibility in the threshold to avoid “24 units” practice; or different thresholds for different areas?

Response: Circular 6/98 views 25 dwellings as the appropriate threshold. A lower threshold between 15 and 25 dwellings may be acceptable if local planning authorities can demonstrate exceptional local constraints. A limited supply of land may be such a constraint, but in view of existing commitments at Ashton Green and Hamilton it could be difficult to convince a Local Plan Inspector to accept a lower threshold than the national norm. A table showing affordable housing agreed to date is attached.

CHANGE TO PLAN: None but situation will be continually monitored

5. **City Centre Housing:** Policies need to promote more housing in the city centre. There are fewer conversions in Leicester than in comparable cities so we need to improve developers’ perception of the Council’s standards. Single storey commercial development should not be permitted in the city centre,

to allow for residential uses on upper floors. Is the affordable housing policy sending out the right messages to developers or is it acting as a deterrent to regeneration?

Response: SPA08 gives specific encouragement to residential development in the city centre. All the PDAs within the city centre include residential as either a priority land use or an acceptable other land use (SPA01). This Plan includes an increased windfall allowance to reflect the increase in flat conversions, especially in the city centre. Details of recent City Centre housing schemes are attached. The application of affordable housing requirements has been flexible and it is not considered that to date it has had a detrimental impact on the number of conversions. Our policy approach is based on national guidance. However, it is difficult to assess the impact of the policy and the way it has been applied on the image of the City in attracting such commercial schemes. This will be kept under review.

CHANGE TO PLAN: None, although the policies will be kept under review and consideration given to opportunities for promotional material/good examples, probably by other agencies such as Leicester Promotions, the LLDA or the Regeneration Company.

6. Windfall housing: Is the estimate too cautious?

Response: No, the Plan assumes that 4250 dwellings will be provided on windfall sites. This allowance is about 400 per year and represents a 100% increase on past trends. The issue of Urban Capacity, including windfall site assumptions will be debated at the Structure Plan Examination in Public this summer.

CHANGE TO PLAN: Clarify the assumptions in Table 1 and paras 6.12 and 6.16 to make this more transparent.

7. Density: High density development in the outer areas of the city can cause problems.

Response: PPG3 urges the most efficient use of land for housing. The Deposit Draft Structure Plan sets out minimum net densities of 50 dwellings per hectare in and adjoining the city centre, down to 30 dwellings per hectare in the rest of the city outside the town centres. Both the Structure Plan and the Replacement Local Plan Policy UD 05 reflect the guidance in PPG3. There are recent examples of SoS directing Local Planning Authorities to refuse housing proposals which are at too low densities.

Many problems stem from poor design solutions and the emphasis on Urban Design issues elsewhere in the plan – along with the requirements where necessary of SPG will address these concerns.

CHANGE TO PLAN: None

8. Larger houses: Can H09 be extended to cover other areas of the city and can we ensure that larger housing is included in new residential development?

Response: Since the 1994 Plan the Spinney Hill area has been added to this policy, as a result of consultation with the Director of Housing. The areas identified are those which include houses large enough to be under pressure for sub-division but where there is a local community which has a need for larger family housing.

The negotiation of affordable housing in line with policy HO6 will help to take account of the City Council's current priority need for family housing.

CHANGE TO PLAN: The boundaries of the Larger Housing Policy Areas will be kept under review and HO5 amended to mention the loss of larger family homes in particular. The results of the 2001 Census may indicate that the boundaries need to be amended.

9. **Retail in residential areas.** Does the Plan prevent the incursion of retail uses into residential areas, damaging residential amenity and reducing the housing stock.

Response: Policies R01 and R05 ensure that new retail development is confined to the defined shopping centres thus containing changes of use from houses to shops and minimising the impact on residential areas.

Inevitably, in defining centres, non-retail uses such as houses may be included within the boundary. This gives a centre some flexibility and scope to expand, although most centres are static or contracting. Some of the larger centres, e.g. Green Lane Road, will be rationalised so that the boundaries are tighter, excluding the fringes which often have a greater mix of shops and houses. This will encourage reuse of vacant shops in the 'core' rather than changes of use from houses. In addition Policy H03 will provide tighter controls on loss of existing housing.

Upper floors in many cases remain in or have the potential for residential use. However, conditional permitted development rights allow changes of use of an upper floor from a single flat to a shop use and vice versa. Policy R05 requires that new retail development does not inhibit the use of upper floors for residential purposes making it easier for residential use at a later date.

CHANGE TO PLAN: None.

10. **Places of Worship:** Plan should define areas where Places of Worship may be appropriate. Para. 11.50 should be more sympathetic to expansion proposals to meet the needs of growing communities. It is better to cope with the impact than relocate away from community and increase car use. It is a question of scale, eg. madressas can be acceptable in residential areas, conversion of former industrial/commercial units, policies for provision in new housing. Consult with religious communities. Use CPO powers.

Response: The Replacement Local Plan (RLP) recognises a Place of Worship as a central community facility, and contains new and extended explanatory text which highlights the diverse range of buildings needed for worship and associated activities, the need for facilities to be accessible, and close to their catchment areas. The Plan also recognises the trend, as communities grow, to move into larger multi – purpose properties away from residential areas where it may not be possible for these facilities to be accommodated and where larger buildings and sites may not be available. Recent examples include the two community centres at Ulverscroft Road, and places of worship off St. Margaret's Way.

Provision for places of worship will be sought in District Centres, Potential Development Areas, other areas offering re-development opportunities and in new housing areas. (Policy CL13). Many of the PDA's in policy SPA01 are considered suitable for community facilities and places of worship. The latter are listed as priority uses within the Towers Hospital, Loughborough Road and Ross Walk PDA's. Policy CL12 seeks to retain existing places of worship by considering refusal for changes of use.

Places of worship may also be accommodated within primarily employment areas, subject to policy E03 which contains a clause on the circumstances where these uses will be acceptable. The RLP therefore

identifies a range of areas where places of worship and related community facilities may be appropriate. These have the potential to meet community needs locally.

The use of CPO powers would be possible but complex. It is therefore not thought appropriate to make a policy statement in respect of CPO, singling out places of worship. However, there are general statements mentioning CPO in the Implementation chapter and each case will be different, needing to be treated on its merits.

Policy CL11 notes that facilities should be located where they are accessible by a choice of means of transport. The policy also presumes in favour of the development of these facilities including conversions and extensions subject to residential amenity considerations. Policy CL12 also seeks to retain existing places of worship. Para. 11.50 recognises that places of worship need to be close to their users and established communities. This will usually be within residential areas. However groups will also want larger properties that are not available in residential areas and will seek these elsewhere, sometimes splitting functions and activities between existing and new buildings. The Plan also needs to recognise and allow provision for this. The extension of existing facilities in residential areas will be examined closely, taking into account the needs of the group.

Regarding scale of activities, paragraphs 11.39, 11.41 (Local Community Facilities) and 11.48 recognise the need for the different range and scale of activities, including specific localised educational needs (para. 11.39) such as madressa's to be located within communities. Paragraph 11.41 notes that special regard will be given to proposals which seek to meet an important unmet demand. Paragraphs 11.42 and 11.51 note that the Council will assess levels of activity that are appropriate to specific locations in order to avoid over intensification. Thus smaller scale madressa's may be appropriate in locations where larger places of worship may not. Proposals for the conversion of commercial units will be subject to policy CL11.

Religious groups and organisations will be consulted as part of the local plan consultation process.

**CHANGE TO PLAN: Addition to paragraph 11.50 on the expansion of existing facilities.
Suggested wording after second sentence -**

'Proposals for extensions to existing places of worship will be examined closely to take account of the needs of the group and to seek to accommodate the provision of the facility close to its users'.

11. Community uses should be provided in private development.

Response: Policy CL01 safeguards sites allocated for community and leisure use. Policy CL02 seeks the provision of a range of community and leisure uses within new housing development. Policy IMP01 states that planning obligations will be sought from developers towards the appropriate costs and needs arising from the development. Appendix 04 gives examples of the obligations which will be sought, including a range of community uses.

CHANGE TO PLAN: None.

12. School closures: Will there be any more closures? Will demand for spaces grow despite closures?

Response: Policy CL08 sets out the procedure for assessing the re-use of any surplus school site. The RLP only identifies the sites of the four schools which were closed as a result of the Council's review of

secondary education. It is not yet known whether there will be surplus sites as a result of the impending primary schools review, but the level of possible closures and demand for places will be a matter for the Secretary of State, Members and the Director of Education to determine and is not within the remit of the local plan.

CHANGE TO PLAN: None

- 13. Playing fields:** We seem to be taking away playing fields but not creating any eg. on school sites. We need to provide new public open space with new development. Use surplus school sites to help provide playing space.

Response: GE16 aims to protect playing fields from development but sets out criteria for assessing any proposal for the disposal of playing fields, in accordance with the guidelines established by Sport England. There has been a recent city-wide assessment of playing pitches in the city, largely funded by Sport England, to provide the quantitative and qualitative information for such decisions to be made.

In the area of the Blackbird Road Playing Fields there would not be a shortfall in the number of available pitches but the quality of those pitches is generally poor. GE17 aims to ensure that well serviced and secure pitches are included within the remaining 5 hectares of open space. The pitches at John Ellis School are within the Green Wedge and the washland, so will not be subject to development. Sport England has made it clear that any redevelopment of Mary Linwood and Mundella Schools must include provision for sport and the playing pitch at Mundella School is not part of the area for disposal. The current employment allocation on the Scudamore Road Playing Fields has been deleted because these are high quality pitches.

This Plan includes more stringent requirements for developers to provide space for youth and adult play to serve new residential development, or a commuted sum towards the improvement of existing facilities.

CHANGE TO PLAN: Refer in para 11.27 to the consideration of the need for public open space on surplus school sites.

- 14. Allotments:** These are valued and development should not take place on them at all. In some areas the local demand for allotments is not being met. Are they promoted enough? Allotments Working Party needs to look at each allotment individually and consult. There should be an honest approach to allotments such as Wycombe Road

Response: Allocations on allotment sites have been made in the context of the impending publication of an Allotment Strategy, being prepared by the Director of Arts and Leisure, following a city-wide review of allotment use. Since January 2000 there has been consultation with all the Allotment Societies and direct let allotment holders on the Allotment Strategy Discussion Document. As a result changes are being made to the draft strategy. Because of a high level of vacancies across the city, investment is needed to improve and secure allotments to encourage greater use. In the city, there are currently double the national average number of allotments per head of population. Despite active marketing there will still be a surplus of allotments after the proposed consolidation has taken place to allow for any future growth in interest.

Of 52 operational allotment sites in the city only two are proposed for total development, including Barkby Road which is already an allocation in the current Local Plan. Three are proposed for partial development on areas that the Allotment Societies have identified as surplus to their needs. The

possibility of partial development is suggested for another three sites where consolidation of allotments will take place. St Mary's Allotments are no longer operational but the housing allocation on 1/3 of the site is intended to secure the remaining area as public open space and was supported by the Inspector at the last Local Plan Inquiry in 1992.

CHANGE TO PLAN: The reference to St Mary's Allotments will clarify that the remaining area is to be laid out as public open space. The list of allotment proposals will indicate which are only allocated for partial development.

15. Shopping centres should be classified as, city centre, radial roads and local centres.

Response: the hierarchy of centres is set out in paragraph 8.8 for PPG6 purposes. This names Town Centres, District centres and Local centres. All are shown in the same way on the Proposals Map as shopping centres. No distinction is made between centres on radial routes and other local centres (presumably off the main routes) which vary considerably in size but have much the same function. However, the district centres are all on the main radial routes and the larger local centres on lesser radial routes. So the hierarchy already (in the main) reflects Members concerns in this issue.

CHANGE TO PLAN: None.

16. A3 uses: If a shop in a local centre is empty it does not have to go to an A3 use. Other uses such as small businesses could be set up in shopping areas.

Response: Changing shopping habits have resulted in reduced demand for local shops. A3 uses can occupy what would otherwise be vacant units. An objective of the Plan is to support local centres. A3 uses can contribute to this aim: they complement shops, provide for a local need and contribute to the vitality and viability of centres. Policy R07 gives a lot of discretion over the granting of planning permission for A3 uses especially in local centres where houses are nearby.

There is a need to retain shops and services such as A3 uses in shopping centres to meet people's day-to-day needs, so reducing the need to travel particularly by car. Depending on the scale of use and size of centre, generally positive encouragement is not given to larger business uses in shopping centres. The issue is dealt with in paragraph 8.16. Where there is a high level of vacant uses particularly on the fringes of usually larger centres, business uses may have a role in reducing the number of vacancies subject to other policies and considerations of amenity, traffic and parking.

CHANGE TO PLAN: Supplementary Planning Guidance is currently being drawn up to look in detail at A3 uses.

17. A2 uses: Will SPA06 result in A2 uses decanting to district centres and residential areas?

Response: This is a longstanding policy and has not resulted in a significant shift so far. The policy protects the primary shopping streets in the city centre where the shopping function and character should take priority. A2 uses are acceptable in secondary streets where they have concentrated, e.g. Halford St. Belvoir Street/Granby Street area, Horsefair Street. No obvious danger that service uses such as these that complement and support retailing will decant. Branch rationalisation is a greater threat, perhaps more so in district centres.

PPG6 Annex B, advises that development plans may distinguish between primary and secondary areas. Primary frontages may be restricted to a high proportion of retail uses, in particular those in Class A1; there should be scope for more flexibility of use in the secondary frontages where diversification has most to contribute.

CHANGE TO PLAN: None.

- 18. Park and Ride:** The proposal at Soar Valley Way is too far out and is helping people from outside the City. It will increase congestion in the vicinity.

Response: The proposal for a new P&R site at Soar Valley Way is included in the Local Plan as it is a proposal in the Central Leicestershire Local Transport Plan (2001-2006). The site's strategic location has been assessed and with careful design and traffic management, congestion can be minimised locally and reduced along Narborough Rd and Aylestone Rd. It is also referred to in the Deposit draft of the Structure Plan. An important part of the Central Leicestershire transport strategy is the provision of additional P&R facilities. To be attractive to traffic from outside the City and reduce more central congestion they need to be located on the edge of the City, as at Meynalls Gorse and the proposed site in Charnwood off the A6. They also need to be able to provide at least 500 spaces and sites of such a size are few.

CHANGE TO PLAN: None

- 19. Parking standards:** Is working with other authorities on parking standards anti-competitive? Parking standards should differentiate between commuter parking and the needs of shoppers and businesses. Is the more stringent hotel parking standard in this Plan valid when it does not contribute to peak hour traffic?

Response: The approach taken on parking is not anti-competitive. It is important to ensure that potential investors cannot 'play off' one local authority against another on the grounds that more car parking can be secured elsewhere. The approach accords with advice in PPG13 and Draft RPG.

The parking standards in conjunction with Policy AM15 (Public Parking) will assist in differentiating between commuter parking and shopper/business parking. Whilst no further contract and public parking will be permitted within the city centre; outside the city centre contract and public parking will be considered if it can be demonstrated that a shortage of provision would have a detrimental impact on business and commercial interests, and that the travel needs could not be met in any other way by alternative modes of transport.

More stringent hotel parking is valid within the city centre. Whilst, it is recognised that certain uses do not contribute to peak hour traffic in the same way, it is consistent with government guidance that more restrictive parking standards should be applied in accessible locations where staff and customers will be able to walk, cycle or use public transport to get to their destination. Outside the city centre the standard of one space per bedroom is not considered to be over restrictive.

CHANGE TO PLAN: None, although by having the parking standards as Supplementary Planning Guidance there will be opportunities for regular monitoring of their effectiveness. After consultation the standards can be amended to take account of any unexpected and unwanted impacts.

20. Residential car parking: Adequate parking needed for new development. Retail uses in residential areas affect residential parking provision.

Response: The proposed parking standards recognise the need to provide adequate parking with new development. It is the intention of policies to reduce car use rather than car ownership. As dwellings in themselves are not major trip generators and car ownership is predicted to increase, further restraint on the parking standards will only be applied in accordance with the criteria in Policy AM13. No car parking reduction targets for residential development has been set at present. PPG3 sets an average parking ratio of 1.5 spaces per dwelling.

Transport assessments will be required for large retail uses in residential areas to ensure they do not create a highway safety or amenity problems as a result of on-street parking.

CHANGE TO PLAN: None at present, although as above, the proposed standards will be closely monitored and changes can be made within the life of the Plan as they will be adopted as Supplementary Planning Guidance.

21. Transport: LRT unlikely in the life of the Plan so the Plan should concentrate on the potential of railway lines, protect track beds and retain freight lines. Ivanhoe Line renamed National Forest Line. A public transport link between bus and rail stations is needed and it is difficult to access bus routes from the market. Buses should be able to penetrate the heart of the city centre. Encourage hire cars to use bus lanes.

Response: It is envisaged that a Mass Rapid Transit (MRT) engineering study will be undertaken during the first period of the Central Leicestershire LTP (2001-2006) and a MRT scheme could be implemented between 2006 and 2016. Policies AM08 and AM19 will help safeguard the potential of rail infrastructure and trackbeds for passenger and freight services.

As far as we are aware no new funding has arisen as a result of greater involvement in the Ivanhoe line project by the National Forest and there has been no agreement from either the City Council or County Council to change the name. However, para 5.33 sets out the Council's support for an extension to the line if a funding package can be put together within the Plan period.

Policies SPA01 and SPA09 recognise the importance of linkages between the rail and bus interchanges within the city centre. The Traffic Group, through the Local Transport Plan, Green Travel Plans and the Quality Bus Partnership are looking at ways of improving bus access to the city centre including a new link between the city centre, rail station, DMU, bus stations, LRI and Leicester University. The City Council are currently in discussion with transport consultants to explore how the 'Transport Development Area' concept might be incorporated in the Local Plan, focusing on the City Centre and in particular on the London Road railway station.

The use of bus lanes by private hire vehicles is not a land use planning matter, but will be reviewed as part of the Central Leicestershire LTP.

CHANGE TO PLAN: None. Progress on implementing these ideas will carry on outside the plan, during the Plan period. The Local Plan merely facilitates these initiatives, by for example seeking public transport access to any extension to the Shires; SPA 10 and SPA 01 (Area 2 St Peters Lane.) Members concerns on these issues have been transmitted to the Traffic Group for consideration during the next LTP round.

22. Public and contract car parking: AM15 is very restrictive; will it meet needs of visitors/staff at LRI?

Response: Yes, the needs of visitors/staff at LRI will be addressed by Policy AM15, in conjunction with the criteria set out in Policy AM12. As mentioned above, restrictive parking standards in accessible locations is consistent with government and regional guidance. Any proposals for new development at the LRI will need to be accompanied by a Transport Assessment and Green Travel Plan. These would show what measures could be implemented to encourage staff and customers to walk, cycle or use public transport in order to minimise the need for additional car parking. If despite these measures, highway safety or amenity problems would still be created as a result of on-street parking, then additional public parking would be considered. (This approach has been used recently in considering use of the Granby Halls site)

CHANGE TO PLAN: None, although the situation will be closely monitored.

23. Pedestrian and cycle networks: Does the Plan provide for cyclists at the expense of pedestrians

Response: It is not envisaged that the provision for cyclists will be at the expense of pedestrians. Policy AM03, in conjunction with Policies AM01 and AM02 provide equal weight to the provision and safeguarding of the existing or proposed pedestrian and cycle route network within the City. These policies also address the issue of segregation between cyclists and pedestrians.

CHANGE TO PLAN: None

24. Marina: There is no positive policy requiring a marina. A marina is not the same as moorings. The statement on viability is incorrect.

Response: SPA01 indicates the PDAs where moorings and/or marinas are priority or acceptable land uses. SPA13(h) requires development within the Riverside Policy Area to provide moorings and associated boating facilities where appropriate. British Waterways provided the information on viability, but para. 4.72 does refer to the potential for smaller marinas as part of other waterside developments.

CHANGE TO PLAN: Make a cross reference to Policy SPA01 in para. 4.72

25. Trees: As Environment City the Council needs a clear policy for the maintenance of street trees and TPO trees. Can this be included in the Local Plan and can it recognise the contribution to the landscape of trees in rear gardens?

Response: It is difficult to suggest how such concerns can be addressed through the Local Plan. Certainly conditions applied to planning consents can deal with maintenance for an initial period, such as replacement of damaged trees and landscaping. In certain circumstances management can also be covered by planning conditions or planning obligations (section 106 agreements). These eventualities are included in Local Plan policies in the Urban Design and Implementation chapters. Maintenance of trees is unfortunately outside the scope of a Local Plan. However it is accepted that Policy UD13 should be more specific about the effect of development on trees.

The contribution to the landscape of garden trees can be recognised in Conservation Area statements or they can be subject to a TPO. However, if a TPO is placed on a tree there is no legal means of requiring maintenance (unlike listed buildings).

CHANGE TO PLAN: A new policy, to replace UD13, will address the consideration of development proposals that affect trees.

26. Car Showrooms: How can we get a better quality of design for car showrooms?

Response: Policy E12 is concerned with the location of car showrooms etc. The general design issues are covered in the Urban Design chapter especially policies UD01, 'local setting and context' UD02, 'building layout' and UD04 'identity and legibility'. The quality of design is therefore facilitated by the Local Plan but the implementation will depend on how planning applications are dealt with.

An issue that may arise during the life of the plan is the potential for change of use from car showroom.

CHANGE TO PLAN: Consideration is being given to the need for an additional Local Plan policy to deal with the future uses of redundant car show rooms if, as has been suggested, many become redundant.

27. UPVC windows: Are some new designs now acceptable in Conservation Areas?

Response: There is no specific reference in the Plan to the use of UPVC windows. However Policy BE09 requires materials and methods appropriate to the original character of the building to be used for works for which permission is sought as a result of an Article 4 Direction. The Council tries to ensure that the original fabric of the building is retained. Where original fabric has to be replaced then there can be more flexibility with the choice of materials but the Council will still seek a good design. Policy BE06 requires new development in or adjoining a Conservation Area to preserve or enhance the appearance of that Area. It is recognised that some new designs of UPVC windows could be acceptable.

CHANGE TO PLAN: The Plan will be clarified on this point by use of examples.

28. Public Conveniences: Can the Plan address the lack of these basic amenities in the city centre?

Response: The concern of Members and the public about the lack of facilities is recognised. Within major retailing proposals the provision of public toilets will be expected as part of the development. The list in Appendix 04 includes toilet facilities as an obligation that will be sought to support development. This can be applied to any major development attracting public use. The provision of facilities to serve existing development is not a matter for the Local Plan but Members' concerns have been relayed to the appropriate officers.

CHANGE TO PLAN: None

APPENDIX 3

REPLACEMENT CITY OF LEICESTER LOCAL PLAN - REVISED TIMETABLE

JUNE 2001

Director's Board	27th February 2001
Cabinet	9th April 2001
Strategic Planning & Regeneration Scrutiny Committee	9th May 2001
Development Control Sub-Committee	8th May 2001
Members Invitation	w/c 21 May 2001
Member Steering Group	30th May 2001
Cabinet (final approval)	25th June 2001
Plan printing and preparation of publicity material.	End June – October 2001
Plan on Public Deposit	15th October- 23rd November (six weeks)
Discussion with objectors to consider changes to Plan.	Late 2001 - Early 2002
If changes made as a result of above then a revised deposit stage will commence.	Proposed May - June 2002
Whether no changes to Plan are proposed or a revised deposit stage is agreed - a Public Local Inquiry will be held.	2002/2003
Inspector's report received	Dependent on Inspectorate (within one year of Inquiry)
City Council response to Inspector's report and any proposed modifications	
Plan Adoption	2003 - 4