



The Planning
Inspectorate

Report to Hinckley and Bosworth Council

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an Inspector appointed by the Secretary of State for Communities and Local Government

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PLANNING AND COMPULSORY PURCHASE ACT 2004

SECTION 20

**REPORT ON THE EXAMINATION INTO
HINCKLEY TOWN CENTRE AREA ACTION PLAN
DEVELOPMENT PLAN DOCUMENT**

Document submitted for examination on 13 September 2010

Examination hearings held between 14 and 16 December 2010

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ABBREVIATIONS USED IN THIS REPORT

AA	Appropriate Assessment
AAP	Area Action Plan
CC	Council Change
CS	Core Strategy
DPD	Development Plan Document
FPC	Further Proposed Change
EMRP	East Midlands Regional Plan
LDS	Local Development Scheme
Para.	Paragraph
PC	Proposed Change
PPS	Planning Policy Statement
PSA	Primary Shopping Area
RSS	Regional Spatial Strategy
SA	Sustainability Appraisal
SCI	Statement of Community Involvement
SCS	Sustainable Community Strategy
SHMA	Strategic Housing Market Assessment
SPD	Supplementary Planning Document
SUE	Sustainable Urban Extension

Non-Technical Summary

This report concludes that the Hinckley Town Centre Area Action Plan Development Plan Document provides an appropriate basis for the planning of the Area over the next 15 years. The Council has sufficient evidence to support the strategy and can show that it has a reasonable chance of being delivered.

A limited number of changes are needed to meet legal and statutory requirements. These can be summarised as follows:

- Ensuring all elements of the Vision are covered by the Spatial Objectives,
- Clarifying the relationship between the Area Action Plan and Core Strategy,
- Deletion of superfluous policies,
- Ensuring up-to-date information on infrastructure costs is available, and
- Making the policy for retail development outside of the town centre relevant and deliverable.

All of the changes recommended in this report are based on proposals put forward by the Council in response to points raised and suggestions discussed during the public examination. The changes do not alter the thrust of the Council's overall strategy.

Introduction

1. This report contains my assessment of the Hinckley Town Centre Area Action Plan (AAP), which is a Development Plan Document (DPD), in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (the Act). It considers whether the AAP is compliant in legal terms and whether it is sound. Planning Policy Statement (PPS) 12 (paragraphs 4.51-4.52) makes clear that to be sound, a DPD should be justified, effective and consistent with national policy.
2. The starting point for the examination is the assumption that the local authority has submitted what it considers to be a sound plan. The basis for my examination is the AAP submitted in September 2010 which is the same as the document published for consultation in June 2010. An earlier version of the AAP was the subject of consultation from October to December 2008. This exercise revealed to the Council that further work would be necessary to make the plan sound and it was not submitted for examination at that time as had been originally intended. All representations received during the 2008 round of consultation have been carried over and were submitted alongside the responses to consultation on the amended, June 2010, document.
3. My report deals with the changes that are needed to make the AAP sound and they are identified in bold in the report (**CC**). All these changes have been proposed by the Council and are presented in Appendix A. None of these changes materially alter the substance of the plan and its policies, or undermine the sustainability appraisal and participatory processes undertaken.
4. Some of the changes put forward by the Council are factual updates, corrections of minor errors or other minor amendments in the interests of clarity. The map of the area (Appendix 3) which will be incorporated into the Proposals Map has also been updated. As these changes do not relate to soundness they are generally not referred to in this report although I endorse the Council's view that they improve the plan. These are shown in Appendix B. I am content for the Council to make any additional minor changes to page, figure, paragraph numbering and to correct any spelling errors prior to adoption.
5. Where the Council has proposed changes that go to soundness they have been subject to public consultation and I have taken the consultation responses into account in writing this report.

Assessment of Soundness

Preamble

6. The delay in the submission of the AAP has allowed the Core Strategy (CS) to be adopted (December 2009) providing a strategy for the district as a whole and establishing the town centre's place in that. CS Policy 1 sets out the principles for development in Hinckley including guidance on the type and amount of various uses.

7. Whilst the plan was under preparation the East Midlands Regional Plan (EMRP) was in place and not revoked until July 2010 by which time the AAP had been completed. At the time of the examination, and as a result of the first challenge from Cala Homes, the revocation of Regional Strategies (RS) was quashed and they were reinstated. The Government's commitment to abolish RS is now, however, included in Section 89 (3) of the Localism Bill, published on 13 December 2010.
8. Section 24 (1) of the Act has remained in place throughout. Due to the background to its preparation and the response from the Government Office for the East Midlands (GOEM), which withdrew all its previous objections, I am confident that the AAP is in general conformity with the EMRP.
9. In the light of the likely abolition of RS it is not necessary to retain references to the EMRP in the AAP. The Council is concerned that these will shortly become out-of-date and proposes to remove them; such changes will not affect the soundness of the plan.

Main Issues

10. Taking account of all the representations, written evidence and the discussions that took place at the examination hearings I have identified five main issues upon which the soundness of the plan depends.

Issue 1 – Is the overall approach to the vision, objectives, boundary definition and selection of development sites based on a clear and robust process, reflecting community views and leading to sustainable outcomes consistent with the Core Strategy and national policy?

Is the defined area appropriate for an Area Action Plan as specified by PPS12 Local Spatial Planning?

11. The regeneration of Hinckley town centre has long been a widely-held objective and the Renaissance Masterplan (LCD09/02) was intended as a vehicle with which to address this. Work on the Masterplan began prior to the 2004 Act and consequent changes to the development plan-making system. Its subject matter, preparation process, consultation and format made it a suitable forerunner to the AAP.
12. Although much work had preceded this stage, with the Masterplan being well-established and containing detailed recommendations, my view is that the Preferred Options (LCD01/04/01) offered genuine alternatives. In the majority of cases the Council pursued the option which had most support (LCD01/04/02). Where it did not, such as on the matters of the leisure centre and car parking, its decisions were based on robust and specific evidence (LCD07/02, LCD10/03).
13. Consultation throughout, including prior to the adoption of the SCI in 2006, has been full and thorough. Stakeholders and interested groups, such as the Town Centre Partnership and Local Strategic Partnership, were involved at an early stage and throughout the preparation process, and there have been discussions with many landowners.
14. The relationships between the AAP's Vision and those of the CS and Community Strategies are consistent and strong. The Spatial Objectives are clearly expressed covering all elements of the Vision with the exception of

safety. Enhanced security, perceived and actual, would be achieved through policy outcomes such as increased footfall in the town centre, improvements to the public realm and links between sites, and through features incorporated into the design and layout of schemes. I therefore endorse **CC1** which will complete the links between the Vision, Spatial Objectives and policies.

15. Hinckley is defined in the CS and other documents as a sub regional centre, a term originating from the EMRP. It is an accurate description of how the town is planned to grow and the functions it will fulfil. Although the EMRP may shortly cease to be part of the development plan it is not necessary or advisable to delete or alter this designation.
16. With regard to the AAP boundary two alternatives were suggested in the Preferred Options. As well as the main retail centre the chosen option includes adjacent areas which all either support the main town centre uses or have the potential to do so. Their inclusion recognises the potential for these areas to be enhanced, including with financial contributions from town centre development schemes.
17. The development sites were firstly identified through the Masterplan and, generally, they are those which could make a significant difference to the town if improved. Apart from some disagreement regarding the supermarket site in Hawley Road, addressed at Issue 3, no alternative sites were submitted and rejected as suitable for development. The Sustainability Appraisal and its addendum (LCD01/05/1 & LCD01/05/02), the latter produced in 2010 to take account of changes to the AAP, have been taken into account in preparing the final document.
18. In focusing on the interrelationship of sites and uses, the physical and functional links between them and in seeking to meet the various needs of residents, employees, businesses and visitors, the AAP embraces spatial concepts. It describes where the area should grow in order to stimulate regeneration and identifies how such schemes and initiatives will be delivered. In meeting the criteria set out in PPS12 the area is appropriate for an AAP. The selection of the AAP's framework has been clear, robust, justified and consistent with the CS and national policy. Subject to CC1 it is thus sound and represents the most appropriate strategy when considered against reasonable alternatives.

Issue 2 – Taken as a whole, does the AAP provide satisfactorily for the delivery of development, is it flexible, and does it enable adequate monitoring of its effectiveness?

19. The Council intends that the AAP should work in conjunction with the CS. The avoidance of duplication between the two documents results in the AAP being admirably concise, focussed and clear. In some instances, for example where residential development is proposed, reference is made to applicable CS policies which, to my mind, is necessary to ensure that critical factors are taken into account in the preparation of development schemes. Other CS policies are equally important and I therefore endorse **CC2** and **CC3**.
20. In the light of CS policies and those Local Plan policies which will remain until replaced by the *Site Allocations and Generic Development Control Policies DPD* (Site Allocations DPD) Policies 13 'Development on Allocated Green

Space' and 14 'Development on Allocated Community Facilities' of the AAP are not necessary. The subject of Policy 19 'Cycle Facilities' is already covered in Leicestershire County Council's highways, transportation and development document (LCD10/05). I therefore endorse **CC4**, **CC5** and **CC6** which will delete these policies from the AAP.

21. Schemes for each development site will be advanced through a masterplan as explained in para. 8.5. In the main, therefore, the policies for each site will provide a framework within which detailed proposals can be negotiated. It is also recognised in the AAP that development on large sites may take place in phases. The Council's preference is for all landowners to be involved in the preparation of masterplans but this is not a specific requirement within the AAP. Participants at the hearing sessions were assured that there would be some flexibility and that the absence of landowners would not necessarily jeopardise production of a masterplan.
22. Infrastructure implications, especially with regard to transport and public realm improvements have been addressed in detail. The Strategic Transport Development Supplementary Planning Document (SPD) (LCD10/01) contains a thorough analysis of transport needs and costs in the AAP area and thus provides a sound basis for the requirements detailed in Policy 17 'Transport Infrastructure Delivery and Developer Contributions'. The inclusion of the tariffs provides a helpful indication of infrastructure costs, particularly since para. 12.6 makes it clear that the amounts are flexible and the starting point for negotiations which will take into account factors such as viability. The table specifying transport improvements (pages 55 & 56) will be similarly helpful. I therefore endorse **CC7** and **CC8** which will ensure that financial contributions are based on up-to-date evidence, meet the tests in Circular 05/2005 *Planning Obligations* and the statutory requirements of The Community Infrastructure Levy Regulations 2010.
23. Flexibility is a fundamental principle for the AAP; the importance of development and regeneration in the town centre outweighs any need for prescription or precision at the development sites or other allocations. One of the drawbacks of the Masterplan (LCD09/02) and the earlier, 2008, version of the AAP (LCD01/01/01) was their high level of detail which was found to have the potential to hinder rather than encourage development.
24. Flexibility is built into the AAP in several ways. Its policies for the nine development sites are phrased as 'key aspirations', this less demanding expression than the 'key requirements' of the earlier version illustrating the Council's encouraging approach to development. Preferred uses or a mix of such are advised for each development site and a range of figures for housing, office and retail use consistent with CS Policy 1 are set out in the Potential Land Use Table (AAP, page 41). These figures, however, are indicative rather than rigid. The potential to vary the amounts and introduce other uses, subject to a robust justification for proposals which depart significantly from the policy aspirations, is explained in paras. 9.1-9.3.
25. To some extent flexibility is enabled by the forthcoming Site Allocations DPD. This is not due for submission until January 2013 and so will be able to balance any significant shortfalls or overprovision, particularly in housing or employment uses, which become apparent during the early part of the AAP plan period. The timing of development on each site will be dependent to a

large extent on economic circumstances and is also, therefore, flexible. Phasing will be set out as masterplans are prepared and the details for each site are firmed up.

26. National policy, the requirements of the CS and the need for robust evidence before proposals are allowed to deviate from the policy aspirations are the safeguards which will ensure that the desired flexibility does not lapse into a lack of guidance and free-for-all.
27. Much development within the AAP boundary will be achieved as a result of partnership working between the Council, landowners and other stakeholders based on a commonly-held wish to develop and regenerate the town centre. The employment of a Development Consultant to nurse proposals along is an indication of the Council's recognition of the risks to development and a commitment to overcoming these. The use of Planning Performance Agreements to take a scheme through the planning application process will also help to avoid the pit falls which large or complicated projects can fall into.
28. The viability and deliverability assessment (LCD09/04) has revealed that the uses proposed for most of the development sites would not be viable in the current economic circumstances. This position might, however, be assisted by the AAP's flexibility as alternative uses or increased densities could result in a site being developed where the original aspiration was not viable. This has already been shown to be the case at the college site where outline permission has recently been granted for residential development as that would generate sufficient income to fund the construction of the new college building. Regular monitoring will indicate the progress being made at each site.
29. As well as its Annual Monitoring Report (LCD02/06) the Council prepares a more detailed Town Centre Monitor (LCD09/03) which has enabled it to respond positively to specific town centre issues. Monitoring measures address every Spatial Objective and policy. The targets are realistic and take account of the flexibility ingrained in the plan.
30. Progress has been made on a number of sites with recent permissions for residential development on the larger part of the college sites and for a major mixed use scheme at the bus station. Work on the new college is also underway. Whilst the current economic circumstances may delay implementation of the permitted developments these steps forward generally support my view that delivery has been properly considered, that stakeholders are signed up and that proposals are realistic. The AAP is flexible at a time and in an area where this is particularly important but with sufficient safeguards to check uncontrolled development. There are measures and targets in place for the effectiveness of the AAP to be adequately monitored. All in all the Council's approach on this matter is sound.

Issue 3 – Do the overall scale, type and distribution of the development sites and allocated land achieve the relevant objectives and targets of the Hinckley and Bosworth Core Strategy in a sustainable manner consistent with national policy? In particular, does the AAP reflect PPS4: Planning for Sustainable Economic Growth?

Is the identification of development sites and allocations, and the mix, type and amount of potential uses, based on robust and up-to-date evidence? Are the general policies necessary? Do they support the LDF strategy and contribute to the overall effectiveness of the AAP?

Housing

31. The indicative figure of 325 dwellings would provide nearly 30% of the requirement for Hinckley town as a whole. The market for apartments is now saturated and the majority of new dwellings will be family-sized houses, diversifying housing stock in the town centre in line with CS objectives. The recent outline planning permission for about 150 dwellings at the college site, compared with the indicative figure of 65-75, suggests that the overall number is likely to be achieved. I consider it likely, therefore, that the number of people living in Hinckley town centre will increase over the plan period in line with Spatial Objective 1.
32. The AAP states clearly that CS Policies 15 and 16, which deal respectively and in some detail with affordable housing and housing density, mix and design, will be applied to schemes within the AAP. The most recent version of the Strategic Housing Market Assessment will also inform the mix of housing and the Council's Housing Strategy and Enabling Officer can discuss the most appropriate type of affordable housing and viability at the pre-application stage.

Employment

33. There is a deficit in office floorspace in the AAP of at least 5,000 sqm on CS Policy 1's advised allocation of 34,000 sqm. The study published in 2010 (LCD05/01/01 & 02) is perhaps less enthusiastic regarding office requirements than the earlier work which informed the CS but it nevertheless concludes that there is a need for modern serviced offices and that there is probably scope for such schemes in Hinckley.
34. CS Policy 1 recognises that some office provision could be made on sites adjoining rather than within the AAP boundary. Furthermore, if evidence over the next year or so indicated that there was a considerable lack of office space this could be addressed by the Council's Site Allocations DPD. In the absence of any representations regarding the under-allocation of office space, or explicit evidence of an unmet demand and need for office accommodation in Hinckley, I do not consider that the shortfall is significant or that it would compromise the AAP's Vision or Objectives.
35. Characteristic of the AAP area are the significant number of workshops and other employment premises close to the town centre with particular concentrations in two main locations. The Upper Bond Street and Transco HQ/Jarvis Porter areas are not suitable for designation as Strategic Development Areas in the AAP as they contain existing uses and would not benefit from, or be available for, comprehensive redevelopment. Their allocation under Policy 12a 'Area of Mixed Uses, Upper Bond Street' and 12b 'Transco HQ/Jarvis Porter' will retain a critical quantity of employment uses and contribute to the Vision and Spatial Objectives.

Retail

36. Enhanced retail provision is fundamental to the regeneration strategy for the town centre; its current underperformance is exacerbated by a lack of suitable and available premises. CS Policy 1 supports the development of new

comparison retail floorspace located mainly at the Britannia Centre and on the Bus Station Site but does not apportion the recommended amount between the two sites.

37. The indicative figures in the AAP suggest slightly more comparison retail will be provided at the Bus Station Site than at the Britannia Centre. At the latter, however, new provision would be in addition to the existing floorspace and the Centre itself would remain the principal shopping location in the town centre where it is identified within the primary shopping frontage.
38. In identifying the Britannia Centre for a significant amount of additional comparison retail the Council has taken a sequential approach. There is not, however, sufficient available space in its immediate vicinity to provide for new comparison retail of the scale required to enhance the town's function as a sub-regional centre. The identification of the Bus Station Site for town centre uses not only provides for the balance of comparison retail but will also regenerate an underused, unattractive area and introduce new leisure uses to encourage more visitors to use the centre. The new bus station itself will enhance the opportunities for these additional trips to be made by public transport and will generally improve access to the town centre as a whole. These considerations are consistent with Policy EC5.1e of PPS4.
39. I saw during my visits that the Bus Station Site is at the edge of the centre and only a short walk from Castle Street. The practice guidance for PPS4 (NCD03/01, para. 6.4) states that it may be appropriate to define sites for specific proposals such as this as extensions to the Primary Shopping Area (PSA). The direction in the AAP (para. 8.45) that comparison retail development on the Bus Station Site should complement the primary shopping frontage and not significantly detract from it is sufficient to ensure that the vitality and viability of the Castle Street area is not harmed.
40. The CS requirements were based on a retail capacity study (LCD08/02/01, LCD08/02/02 and LCD08/02/03) carried out in 2007. Since that date the economy has seen a significant downturn and, recognising that, the Council commissioned a review of the study (LCD08/03). A new capacity study was not carried out but, in my view, the review properly tested the relevance of the earlier study. The retail statement submitted as part of the bus station application (LCD08/04, September 2010) updated the 2007 capacity assessment. In its conclusion that there will be sufficient expenditure capacity to support comparison retail schemes on both sites it indicates that the evidence behind the AAP retail proposals remains robust and reliable.
41. The 2007 study's recommendation that permission at the Bus Station Site should not be granted until after there was commitment to a scheme at the Britannia Centre was not translated into the AAP. The decision to exclude this restriction, which might have led to the Council turning away otherwise appropriate proposals, was consistent with the plan's central principle of encouraging development. A redevelopment scheme for the Bus Station Site was recently granted planning permission by the Council. Whilst the element of comparison retail here is greater than indicated in the Proposed Land Use Table I do not consider that it compromises any part of the AAP.
42. In restricting ground floor development along the primary shopping frontages to A1 use Policy 15 'Hinckley Town Centre Shopping Areas' protects the status

of Castle Street, and consequently the Britannia Centre, as the main shopping area in the town centre. It is therefore necessary and contributes to Spatial Objective 3.

43. The existing supermarket adjacent to the railway station on Hawley Road is identified as a local centre. This is inaccurate as whilst it does serve the needs of local people its catchment, necessarily for business objectives, extends across the town and beyond. In restricting future development there to that required to meet local needs Policy 16 'Retail Development Outside Hinckley Town Centre' is not effective and thus unsound. Allowing the supermarket to improve its offer, subject to no adverse effect on the PSA, would contribute to the town's regeneration and I therefore endorse **CC9**.

Leisure and recreation

44. The Council's decision to relocate leisure facilities to a new site further from the town centre is supported by CS Policy 1 and based on the evidence provided in the swimming pool and leisure centre feasibility study (LCD07/02). Subject to improved public transport links the new location will be accessible not only to existing residents but also for the future occupiers of the Sustainable Urban Extensions (SUEs) at Earl Shilton and Barwell (CS Policies 2 and 3).
45. Argents Mead, which is adjacent to the PSA, provides a pleasant area of public open space for the town centre but there is very little else of this nature. The aspiration for an area of open space adjacent to the theatre and improvements to the public realm, which are set out in detail in Policy 11 'Public Realm Improvements', are necessary to enhance the town centre and make it more attractive to all users. Queens, Clarendon and Hollycroft Parks, which are all within a few minutes walk of the central area, will provide space for relaxation, activity and play not only for employees and visitors but also for future residents of the new homes in the town centre. To a limited extent and in a different form they will also replace the opportunities for physical exercise lost from the AAP area when the leisure centre is relocated. Overall these measures will address Spatial Objective 5.

Conservation and environment

46. The three conservation areas all or partially within the AAP area cover the town centre itself, Druid Street and Hollycroft. National guidance in PPS5 (NCD04) supported by the requirement in CS Policy 1 for new development to respect the character and appearance of these conservation areas will give adequate recognition to heritage assets and protect the town centre's attractive and distinctive identity.
47. The CS also expects development to respect Hinckley's industrial heritage through sympathetic reuse of existing buildings unless demonstrated that this is not achievable. This is carried through to the aspirations for some of the development sites and strikes a careful balance between preservation and development. It will, at the least, encourage developers to consider the retention of buildings which contribute to the character of the town but which are not statutorily listed.
48. As detailed schemes for sites are not set out in the AAP it is not appropriate to specify at this stage where new habitats could be created. Biodiversity is protected through the green infrastructure network implemented by CS Policy

20. **CC3** draws attention to this policy which includes measures that might be incorporated into the town centre. Otherwise PPS9 *Biodiversity and Geological Conservation* sets out national policy to protect and enhance biodiversity.

Tourism, culture and education

49. The enhancement of the theatre (Policy 2) and the provision of a cinema and other leisure uses on the Bus Station Site (Policy 9) make the main contributions to the Spatial Objective. Improvements to the public realm, pedestrian and cycle facilities and public transport, and the protection of historic and architecturally important buildings, conservation areas and parks will also play a significant part in making the town centre more attractive and accessible to visitors.
50. The new college building, particularly in such an accessible location, will considerably enhance education opportunities in the town and further afield. It will also bring a large number of students and staff within a couple of minutes walk from the retail centre, to the benefit of shops, cafes, hairdressers and other businesses there.
51. In selecting the development sites and allocations, and the amount and mix of uses on them, full regard has been paid to the CS and national policy. They are justified and soundly based. Apart from those to be deleted by **CC4** and **CC5** the general policies support the allocated sites, contributing to the AAP strategy and its effectiveness.

Issue 4 – Do the overall scale, type and distribution of transport initiatives represent a coherent strategy for the town centre which will improve accessibility, support regeneration and promote sustainable development in the town centre, consistent with the Core Strategy and national policy?

Are they based on robust and up-to-date evidence? Are the general policies necessary? Do they support the LDF strategy and contribute to the overall effectiveness of the AAP?

52. At an early stage a Transport Assessment Framework was prepared. This identified and provided costs for the highways and transportation measures needed to provide access to the town centre development proposed in the AAP and mitigate its impact. The document, which contains detailed and thorough specifications and recommendations, was adopted as SPD (LCD10/01) in April 2009. It has also been the subject of sustainability appraisal and was reviewed in 2010 to ensure that it would support the AAP.
53. Improvements in public transport will be achieved through the provision of a new bus station, a transport interchange at the railway station and better links, by bus, between the two. Ample parking provision can encourage travellers to make journeys by train and there will be no reduction in the number of spaces at the railway station. Provision for pedestrians and cyclists will be enhanced by a variety of measures including the creation of new and strengthened links, preparation of a Way Finding Strategy, improved priorities, signage and cycle storage. Full consideration has also been had to the needs of people with limited mobility. CS Policy 5 proposes improved links to Hinckley and the implementation of identified cycle routes (LCD10/02), a map of which is reproduced in the AAP.

54. Current parking provision is in a number of small public car parks dotted around the AAP area. They appear to be well used and I can envisage that, particularly at busy times, their size and location leads to much circulation of car traffic as drivers move from one to another searching for a parking space. The consolidation of public parking into fewer, larger areas located on main approaches into the town will thus reduce traffic movements in the centre.
55. The amount of private parking required to serve individual developments will be assessed as part of the more detailed proposals prepared for the development sites. Travel plans will also need to be submitted and will show how travel by public transport, cycle and on foot will be enabled in order to reduce car trips and the need for parking spaces. The provision of electric vehicle charging infrastructure in new development, which is encouraged by the government, could be provided through development proposals and there is no need to change the AAP in this regard.
56. Transport improvements in the town centre are overdue but to my mind existing deficiencies would not be exacerbated by the AAP. Indeed its adoption and progress on the development sites should result in advances towards an integrated and sustainable transport strategy for the town centre. All in all I consider that the transport initiatives proposed in the AAP are soundly based on robust and up-to-date evidence and are consistent with the CS and national policy. Through improved accessibility and by promoting sustainable development they will, ultimately, contribute considerably to the regeneration of the town centre. The Council is proposing the deletion of Policy 19 'Cycling Facilities' (CC6) but apart from this the general transport policies support the delivery of the transport strategy for the town centre.

Issue 5 – Are the development sites appropriate, feasible and deliverable, having regard to the provision of necessary infrastructure and services. Are those providing main town centre uses available, suitable and viable?

Are the detailed requirements for each development site and allocation clear, reasonable and justified?

Stockwell Head/Concordia Theatre (Policy 2)

57. There are several ownerships on this large, complex site, not all of whom have responded to consultation or been involved in discussions regarding its redevelopment. As discussed under Issue 2 above, however, this will not preclude the preparation of a masterplan or the redevelopment of the site.
58. Policy 2 and the Potential Land Use Table indicate that a further 2,500 sqm of office floorspace should be provided on the site. Para. 8.11 explains that Stockwell House, which is already in office use, might not be included in redevelopment of the site whilst para. 9.1 makes clear that the land use figures are indicative and not rigid requirements. Furthermore, the viability of proposals would be an essential consideration which might justify variation from the policy aspirations (paras. 8.3, 9.2). I do not consider it necessary, therefore, for Policy 2 to specify that new office development should be in addition to the retention of Stockwell House.
59. The new public car park on the site will improve access to Castle Street. It was clarified at the hearings that its land value would be taken into account when calculating the developer's contribution towards infrastructure costs.

Again, I do not consider that it is necessary to make this clarification in the AAP in order for it to be sound.

Atkins Factory (Policy 3)

60. Work to refurbish the Atkins building as offices and a creative enterprise centre has been completed and it was officially opened in September 2010. The construction of the new college building is well underway and the public car park on the smaller part of the site has been completed. The re-use and renovation of the Atkins factory is an excellent example of heritage-led regeneration, consistent with CS Policy 1 and Spatial Objective 7 of the AAP.

Britannia Centre/Castle Street (Policy 4)

61. Whilst the redevelopment or extension of the Centre does not appear viable at the moment its prominence and importance to the health of the town centre is recognised in the policy aspirations. The boundary of the site shown in the AAP differs slightly from the ownership area. The Council has agreed to correct this but I do not consider it a soundness matter. The relationship of the Centre with other sites in the town centre, primarily the Bus Station Site, is discussed above under Issue 3.

Land North of Mount Road (Policy 5)

62. This site is in a central, accessible location and, with its trees, church and castle mound, provides a particularly attractive and interesting setting. The aspirations set out in Policy 5 will ensure its full potential is realised whilst protecting its assets.

Leisure Centre (Policy 6)

63. The principle of relocating the leisure centre is referred to at Issue 3. The site is in a prominent position at a gateway to the town centre. Its redevelopment with housing will contribute to Spatial Objective 1.

Rugby Road/Hawley Road (Policy 7)

64. Planning permission for the mixed use development of this site was granted in 2010 and it is intended that the Council's offices should be relocated here from Argents Mead. The site is large, disused and in a prominent location where redevelopment will significantly improve the surrounding area. The retention of the Flude building, the potential for which has been discussed with the landowner and prospective developer and is an aspiration of the policy, would retain a remnant of the hosiery industry and enhance the town centre's character and appearance.

Railway Station/Southfield Road (Policy 8)

65. The Southfield Road site is elevated above the railway and, at its northernmost point, extends slightly forward of the station access road and forecourt. The station building itself is adjacent to the Southfield Road site and clearly visible across it. Despite the boarding along the boundary with the station there is a clear visual relationship between the two parts of the designated development site. The station and its curtilage are in operation whilst the Southfield Road site is cleared and disused. Nevertheless both require renewal and redevelopment which, in this gateway location, will make a considerable contribution to the town's regeneration. I therefore consider that it is appropriate for the two areas to make up one development site.

66. The Council recognises in para 8.5 that development on some sites would need to be phased and that this could be managed through the production of masterplans. The AAP provides sufficient detail as to what is aspired to on the station part of the site for a satisfactory masterplan to be drawn up, even without the involvement of the station site's owner although I note that Network Rail supports the principle of improvements at the station. I do not consider, therefore, that the linking of the two sites will prejudice the development of the Southfield Road part.
67. In the light of CS Policy 1's requirement for office space and the site's proximity to the railway station, the aspiration for an office-led development creating a high quality, employment zone in this edge-of-town centre location is appropriate. The Council acknowledges that the level of office provision specified in the CS was ambitious and, consequently, that such development may not be viable in the face of the current economic circumstances. Paras. 8.3 and 9.2, however, provide a mechanism to ensure that the site need not remain undeveloped.

Bus Station Site (Policy 9)

68. Due to its size, location at the edge of the existing shopping area and underused condition this is one of the key sites in the AAP. The mix of uses aspired to in Policy 9 will have several benefits for the town centre. The journey in by public transport will be made easier, the wider range of uses will encourage more visits including outside of normal shopping hours, and the improved retail offer should have a similar effect. The increased flow of shoppers and visitors between Castle Street and the Bus Station Site will also benefit the small businesses and shops on these routes. The suitability of this site for comparison retail has been discussed under Issue 3 above.

North Warwickshire and Hinckley College (Policy 10)

69. Outline planning permission for residential development on the larger of the two sites, the London Road campus, was granted in October 2010. The smaller site on Spa Lane is not included in this scheme and so remains available for development.
70. My conclusions on Issue 5 are that the identified development sites are appropriate, suitable for the uses proposed and deliverable, with due regard having been paid to the provision of necessary infrastructure and services. Viable schemes which contribute to the regeneration of the town centre will be enabled by the flexibility built into the plan. The detailed aspirations and requirements for each development site and allocation are clear, reasonable and justified and, overall, the Council's approach is sound.

Legal Requirements

71. My examination of the compliance of the Area Action Plan with the legal requirements is summarised in the table below. I conclude that the Area Action Plan meets them all.

LEGAL REQUIREMENTS	
Local Development Scheme (LDS)	The AAP is identified within the approved LDS June 2010 which sets out an expected adoption date of May 2011. The AAP's content and timing are compliant with the LDS.
Statement of Community Involvement (SCI) and relevant regulations	The SCI was adopted in 2006 and consultation has been compliant with the requirements therein.
Sustainability Appraisal (SA)	SA has been carried out, independently verified and is adequate.
Appropriate Assessment (AA)	A scoping exercise was carried out for the CS. There are no European Wildlife (Natura 2000) Sites within the borough or within 10km of its boundaries. An AA is not necessary therefore.
National Policy	The AAP complies with national policy.
Sustainable Community Strategy (SCS)	Satisfactory regard has been paid to the SCS.
Regional Spatial Strategy (RSS)	The AAP is in general conformity with the RSS.
2004 Act and Regulations (as amended)	The AAP complies with the Act and the Regulations.

Overall Conclusion and Recommendation

72. I conclude that with the changes proposed by the Council, set out in Appendix A, the Hinckley Town Centre Area Action Plan DPD satisfies the requirements of s20(5) of the 2004 Act and meets the criteria for soundness in PPS12. Therefore I recommend that the plan be changed accordingly. And for the avoidance of doubt, I endorse the Council's proposed minor changes, set out in Appendix B.

Siân Worden

Inspector

This report is accompanied by:

Appendix A (separate document) Council Changes that go to soundness

Appendix B (separate document) Council's Minor Changes

Appendix A – Changes proposed by the Council which are needed to make the plan sound

These changes are required in order to make the AAP sound.

Council Change No.	Policy/Paragraph/Page	Change
CC1	Spatial Objective 4, page 20	Reword to read - Spatial Objective 4: To enhance Hinckley Town Centre's image to developers, retailer's, residents and visitors by ensuring high quality, safe and well designed, environmentally friendly development in the town centre.
CC2	Policy Framework para. 2.1, page 9	At the end of the paragraph, insert; 'The Hinckley Town Centre Area Action Plan forms part of Local Development Framework and development plan for Hinckley & Bosworth Borough Council. As such, the AAP should be read in conjunction with all adopted LDF documents including the adopted Core Strategy (December 2009) and Supplementary Planning Documents, where applicable. It is the Council's view that there is a clear relationship between the objectives/monitoring of the Core Strategy, Policy 1: Development in Hinckley of the Core Strategy and the Hinckley Town Centre AAP, which expands and adds detail to the aspirations and visions for the town centre.'
CC3	Policy Framework, para. 2.5 page 9	At the end of the paragraph insert 'Other policies of the Core Strategy which will support and complement the Hinckley Town Centre AAP include: <ul style="list-style-type: none"> • Policy 4: Development in Burbage – in its regard to how the development of Burbage can jointly be served and offer support to Hinckley town centre. • Policy 5: Transport Infrastructure in the Sub-Regional Centre – with relevance

		<p>to car parking and public transport which is elaborated on in the AAP, specifically AAP Policy 17 – Transport Infrastructure Delivery and Developer Contributions.</p> <ul style="list-style-type: none"> • Policy 15: Affordable Housing – which will be applied as and when applicable to AAP applications. • Policy 16: Housing Density, Mix and Design - which will be applied as and when applicable to AAP applications. • Policy 19: Green Space & Play Provision - which will be applied as and when applicable to AAP applications. • Policy 20: Green Infrastructure – with particular regard to the Hinckley Town Centre and measures necessary to mitigate a ‘heat island’ effect. • Policy 23: Tourism Development - which will be applied as and when applicable to AAP applications. • Policy 24: Sustainable Design & Technology - which will be applied as and when applicable to AAP applications.’
CC4	Policy 13 page 46	Delete policy and associated text and remove from key diagram.
CC5	Policy 14 page 47	Delete policy and associated text and remove from key diagram.
CC6	Policy 19 page 50	Delete policy.
CC7	Transport Improvements to Support the Hinckley Town Centre Redevelopment page 55	<p>Insert wording above table to read</p> <p>‘The following table highlights the transport improvements which are needed to support the regeneration of the Hinckley Town Centre and its redevelopment. This table should be read alongside the Proposed Funding of Transportation Measures table set out in the Hinckley Town Centre Strategic Development Contributions SPD which looks at required financial costing of improvements. This table and level of costs will be reviewed periodically to ensure that the levels of contribution needed remains current.’</p>

CC8	Transport Improvements to Support the Hinckley Town Centre Redevelopment pg 55	Remove 'Cost' column from table
CC9	Para. 12.4 & Policy 16, page 48	<p>Reword para. 12.4 to read; 'Locations outside Hinckley town centre yet within the Area Action Plan boundary which provide an important retail facility for local residents are identified on the proposals map as 'existing shopping centres'. These sites are located to the west of the Railway Station site on Hawley Road (16a on the Key Diagram) and south-west of the Bus Station site on Rugby Road (16b on the Key Diagram). While these areas provide important facilities, it is essential to ensure that they compliment Hinckley town centre and not detract from it.</p> <p>Reword Policy 16 - Retail Development Outside Hinckley Town Centre to read; 'Within identified existing shopping centres, retail development will be permitted but must be of a type and size which will not have a significant adverse impact on the vitality and viability of the town centre's primary shopping area.'</p>

Appendix B – Minor changes proposed by the Council

Minor Council Change No.	Policy/Paragraph/Page	Change
MCC1	Contents page 3	Update page numbers to reflect final document
MCC2	Background page 4, paragraph 1.2	Remove wording 'and the East Midlands Regional Plan (adopted March 2009), which also forms part of the statutory development plan for the Borough.'
MCC3	Background pages. 4-8, paragraphs 1.6 - 1.24 (including Figure 1)	Delete paragraphs
MCC4	Policy Framework page 10, paragraph 2.9	Reword to read; Hinckley and Bosworth Community Plan April 2007 - March 2012 2.9 Hinckley and Bosworth's second Community Plan sets out the priorities for improvement over a five year period 2007 - 2012, but puts this into the context of a longer term vision for the type of place the borough should be in 2026. The Community Plan identified fifteen priorities under seven themes for the borough, seven of the priorities directly relate to Hinckley Town Centre.
MCC5	Context page 11, paragraph 3.7, last line	Reword to read '... on Station Road.'
MCC6	Policy Framework page 9, paragraphs 2.3 and 2.4	Delete paragraphs and heading

MCC7	Context page 12, paragraph 3.9, 1st line	Reword to read '...one of the finest inter-war parks in the Midlands Region.'
MCC8	Context page 13, paragraph 3.21	Reword to read 'The Hinckley and Bosworth Employment Land and Premises Study was completed by consultants BE Group in 2010. This document appraised employment premises within the Borough in terms of their influence and potential for redevelopment.'
MCC9	Issues Facing Hinckley Town Centre page 15, paragraph 4.3, 3rd line	Reword to read '...broad range of employment and education opportunities are retained and enhanced within the town centre...'
MCC10	Vision page 19, 1st paragraph, 1st line	Alter first line to read '...a high quality environment that respects (or builds on) its cultural heritage and character , where people would want to live...)
MCC11	Vision page 19, 2nd paragraph, 4th line	Reword to read 'New leisure, cultural and education facilities...'
MCC12	Spatial Objectives page 20, Spatial Objective 1	Reword to read '...Hinckley Town Centre ...'
MCC13	Spatial Objectives page 20, Spatial Objective 5	Reword to read '...new leisure, cultural and education facilities...'
MCC14	Spatial Objectives page 20, Spatial Objective 8	Reword to read 'To retain and enhance employment opportunities in the Hinckley Town Centre Area Action Plan boundary.'
MCC15	Strategic Development Framework page 21, paragraph 7.1, 1st line	Reword to read '...is comprised of the Area Action Plan boundary...'

MCC16	Stockwell Head / Concordia Theatre page 23	Update map to reflect new base mapping - boundary will not be affected
MCC17	Atkins Factory page 25	Update map to reflect new base mapping - boundary will not be affected
MCC18	Britannia Centre page 27	Update map to reflect new base mapping and boundary
MCC19	Land North of Mount Road page 29	Update map to reflect new base mapping - boundary will not be affected
MCC20	Policy 5 - Land North of Mount Road page 29, paragraph 8.24, 3rd line	Reword to read '...alternative office accommodation between 2010 and 2012.'
MCC21	Leisure Centre page 31	Update map to reflect new base mapping - boundary will not be affected
MCC22	Rugby Road / Hawley Road page 33	Update map to reflect new base mapping - boundary will not be affected
MCC23	Railway Station / Southfield Road page 35	Update map to reflect new base mapping - boundary will not be affected
MCC24	Bus Station Site page 37	Update map to reflect new base mapping - boundary will not be affected
MCC25	Policy 9 - Bus Station page 38, paragraph	Replace 'retail core' with 'current Primary Shopping Frontage'

	8.45, 3rd line	
MCC26	Policy 9 - Bus Station page 38, policy 9, 2nd bullet point	Remove the word 'exciting'
MCC27	Policy 9 - Bus Station page 38, policy 9, 5th bullet point	Reword to read '...within the site and to the rest of the town centre'
MCC28	Policy 9 - Bus Station page 38, policy 9, 7th bullet point	Delete the word 'consolidated'
MCC29	Policy 10 - North Warwickshire and Hinckley College page 39	Update map to reflect new base mapping - boundary will not be affected
MCC30	Policy 10 - North Warwickshire and Hinckley College page 40, bullet point 5	Reword bullet point to read 'Provision of landscape public open space'
MCC31	Policy 10 - North Warwickshire and Hinckley College page 40, paragraph 8.53, 2nd line	Reword to read 'This brief may be a useful tool...'

MCC32	Policy 12a page 45	Reword Policy 12a to read; Any development proposals within this area should retain architecturally significant buildings where appropriate. Development proposals which would reduce the existing employment uses of this site to less than 1.75 hectares will not be allowed unless it can be demonstrated that the existing employment use is no longer viable.
MCC33	Policy 12b page 45	Reword policy 12b to read; Throughout the plan period, the borough council will actively seek to retain 9.2 hectares of employment uses on the site.
MCC34	Retail Policies page 48, paragraph 12.2, 6th sentence	Reword to read '...illustrates the primary shopping area and the primary and secondary shopping frontages within it'
MCC35	Policy 15 - Hinckley Town Centre Shopping Areas page 48	Rename to Policy 13
MCC36	Policy 16 - Retail Development Outside Hinckley Town Centre page 48	Rename to Policy 14
MCC37	Policy 17 - Transport Infrastructure Delivery and Developer Contributions page 49	Rename to Policy 15
MCC38	Policy 18 - Cycle Routes page 50	Rename to Policy 16

MCC39	13 - Implementation and Infrastructure Framework page 51, paragraph 13.3	After the third line insert new line stating 'This list is not exhaustive and will change over time as the situation in Hinckley town centre evolves'
MCC40	Transport Improvements to Support the Hinckley Town Centre Redevelopment page 55	Change title to read 'Transport Improvements to Support the Redevelopment of Hinckley Town Centre'
MCC41	Appendix 1 page 61	Update to reflect Core Documents List
MCC42	Appendix 2 page 63	Delete heading 'East Midlands Regional Plan' and accompanying text
MCC43	Appendices	Add Schedule of replaced policies as new Appendix 7
MCC44	Sustainability Appraisal Addendum Britannia Centre matrix	Change Objective 2 from 'no effect' to 'minor beneficial'
MCC45	Sustainability Appraisal Addendum Britannia Centre matrix	Change Objective 4 from 'no effect' to 'minor beneficial'

Updated Proposals Map