

Matter 6: Strategic Infrastructure

Issue 1: Supporting Strategic Infrastructure

Policy DS05 Development Strategy: Supporting Strategic Infrastructure

Question 1 Existing commitments and funding

- 1.1.1. Existing commitments consume capacity and require infrastructure whose timing determines what capacity remains for new allocations. East of Lutterworth is therefore part of the baseline, not the whole question: its library needs remain in the [IDP, section 3.4.1, p.21](#). HDC describes the distinction between existing deficiencies and additional growth in [HDC6, paragraphs 33–38, pp.7–8](#), but has not demonstrated that the combined programme is funded. Its approximately £319m infrastructure estimate excludes unpriced projects and includes provider-funded expenditure; it is neither a secured funding total nor SA02's contribution bill ([HDC11, section 1.6, pp.6–7](#)). HDC itself identifies a district-wide funding gap ([HDC6, paragraphs 28–32, pp.6–7](#)). DS05 cannot establish timely delivery merely by promising later contributions: the residual requirement, responsible funder and delivery phase must be reconciled before reliance is placed on SA02. [Reg19, sections 4.2–4.3, pp.20–23](#).

Question 2 Paragraph 57 tests

- 1.1.2. No. DS05's references to reasonable costs and mitigating impacts support compliance, but do not expressly apply all three tests to every planning obligation: necessity, direct relationship, and proportionality in scale and kind ([NPPF paragraph 57, p.16](#)). Proposed pooled contributions extend the reach of the policy without expressly supplying that safeguard ([MM11.1, pp.11–12](#)). Pooling is not inherently objectionable; an existing infrastructure deficit cannot simply be transferred to larger sites (e.g.SA02); however, it is difficult to apportion pooled planning obligating costs to individual developments at the planning application stage when developments may come forward at different times and individual allocation sites may also be subject to long-term phasing and delivery by different developers. This is considered particularly difficult where delivery may take place post the plan-period. It is considered that the apportionment of pool-contributions needs to be considered at the plan-making stage

and. This addresses drafting, not the separate evidence of deliverability. [Reg19, sections 4.2–4.3, pp.20–23.](#)

Question 3 Implementation and phasing

- 1.1.3. No. Proposed criterion 1(e) places coordination of funding, phasing and cross-boundary impacts at application stage ([HDC14, p.30](#)). That can settle detail, but cannot establish the feasibility of dependencies which justify the allocation itself. LCC's October officers' report identifies missing education delivery mechanisms, land equalisation and heads-of-terms approaches ([paragraphs 43–44, p.10](#)). A restriction preventing occupation without infrastructure protects against harm; it does not demonstrate that homes can be delivered. The Panel should require a credible phase-linked delivery basis for the whole plan and, in particular, SA02, not treat the condition as that basis. [Reg19, sections 4.2–4.3, pp.20–23.](#)

Question 4 CIL and criteria 2–3

- 1.1.4. The mechanisms can coexist, but the policy must distinguish liability from delivery. HDC's nil-CIL approach for strategic allocations retains bespoke obligations; its own account includes necessary site-specific mitigation and cumulative infrastructure ([HDC6, paragraphs 23–26, pp.5–6](#)). Neither criterion 2 nor nil CIL exempts necessary off-site mitigation. Proposed criterion 3 adds CIL as a delivery mechanism ([MM11.2, p.12](#)); it does not establish that a nil-rated site's infrastructure will receive CIL from elsewhere. The Panel should reject any funding assumption that depends on that unproven transfer. [Reg19, sections 4.2–4.3, pp.20–23.](#)

Question 5 Which sites; failure of CIL

- 1.1.5. [HDC6, paragraph 24, p.6](#) expressly names SA02 and SA03 as examples of strategic allocations proposed for nil CIL; it does not provide an exhaustive charging map or list. Other sites' actual liability remains dependent on the charging schedule, not a presumption that every non-strategic site pays. If CIL proves unviable, any necessary infrastructure relying on it needs an evidenced alternative funding route; the cost does not disappear. Unfunded dependencies must be reflected in the Plan's delivery conclusions. [Reg19, section 4.2, pp.20–23.](#)

Question 6 Non-car accessibility

- 1.1.6. Not consistently. Criterion 4(a) requires schools to be accessible; 4(b) expressly addresses public transport, walking and cycling for healthcare ([HDC14, p.31](#)). For both, accessibility must mean usable routes when the facility is needed, not merely proximity on the completed masterplan. DS05 should apply that outcome consistently. Otherwise early residents may become car-dependent before promised services arrive, undermining the transport assumptions examined at Questions 12 and 15. [Reg19, section 4.2, pp.20–23](#).

Question 7 Water and sewerage

- 1.1.7. Yes: statutory responsibility does not remove the need to align development with capacity. [HDC16, pp.1 and 5](#) confirms no separate Stage 2 Water Cycle Study and acknowledges outstanding network detail. For instance, the Drainage Strategy submitted with the recent planning application (HDC ref: 26/01350/OUT for the SA02 site reports capacity for 188 early homes at Oadby and 1,077 through the Wanlip catchment, with further modelling needed to establish reinforcement and phasing. That supports some early capacity, not the whole allocation's programme. STNT therefore considers that criterion 4(c) should be retained, but should require the later-phase solution to support the trajectory; statutory duties alone do not establish its timing. [Reg19, section 4.2, p.22](#).

Question 8 Collaborative working

- 1.1.8. Yes, where it produces operative requirements. Proposed DS05(5) records cooperation; (6)–(9) impose assessment and contribution requirements ([HDC14, pp.31–32](#)). The latter have policy substance. The former is not evidence that cross-boundary dependencies have been resolved. [NPPF paragraph 35\(c\), p.12](#) requires effective joint working, not simply continuing discussions. The Panel should judge the resulting delivery arrangements, including the outstanding matters at Question 3. [Reg19, section 4.3, p.23](#).

Question 9 Waste-policy duplication

- 1.1.9. Partly. DM09(1)(f) addresses minimising construction and operational waste; DS05(4)(d) additionally requires a waste-management/recycling strategy agreed with both councils ([submitted Plan, pp.41 and 138](#)). They overlap but are not identical. A clear cross-reference could preserve that additional function without duplicate submissions. [Reg19 representation 13936: DS05](#).

Question 10 IDP requirements and priorities

- 1.1.10. Only partly. The schedule links schemes to sites, but still leaves integral requirements unpriced: OA1's cross-boundary transport masterplanning is "subject to scope and scale" ([HDC11A, TR2, PDF p.1](#)). [INF-NLP2, p.13](#) defines integral infrastructure as indispensable to basic functioning; fundamental infrastructure as necessary mitigation, often needed at first occupation; and beneficial infrastructure as wider enhancement. These indicative priorities are not a licence to omit necessary mitigation. For instance, for SA02, the Panel needs to know which requirements enable each phase, their attributable costs and how they reach the viability appraisal. [Reg19, sections 4.1–4.2, pp.17–23](#).

Question 11 Consequential policy changes

- 1.1.11. Allocation wording must match the revised infrastructure relied upon. For SA02, [HDC4C, paragraphs 4.5–4.6, pp.11–12](#) already change primary provision from five to six forms of entry. [HDC18, p.18](#). These affect land, delivery timing, cost and responsibility for delivery. The necessary policy changes and corresponding appraisal must be tested together. Updated education quantities alone do not cure the delivery omissions identified at Question 3. [Reg19, section 4.2, pp.21–23](#).

Question 12 Education accessibility and demographics

- 1.1.12. HDC18 does model existing places, birth trends, consented development and allocated growth. Its 80% pupil-yield sensitivity addresses likely overestimation, but is expressly not a discount for obligations ([paragraphs 6.1–6.13, pp.5–7](#)). Assigning pupils within walking-

distance thresholds or to nearest schools does not itself establish safe, available routes throughout build-out. The relevant test is accessibility at occupation, including interim schooling, not only the final layout. [Reg19, section 4.2, pp.21–22](#).

Question 13 Responsibilities and apportionment

- 1.1.13. The district's planning decisions and the County's education/highway delivery functions must be joined by workable obligation arrangements specifying recipients, contributions, land, triggers and implementation. Not every indexed tariff belongs in the Plan, but the expected obligations and essential delivery dependencies do ([NPPF paragraph 34, p.11](#)). For SA02, [HDC4C, paragraph 4.5, p.12](#) relies on other developments or public funding for wider secondary-school needs; LCC still identifies missing equalisation and delivery arrangements ([October report, paragraph 43, p.10](#)). An updateable IDP cannot substitute for that cross-boundary solution. [Reg19, section 4.3, p.23](#).
- 1.1.14. Detailed pro-rata infrastructure requirements should not be left to a document that is no more than a material consideration. Infrastructure requirements are necessary to make proposed allocations acceptable. Clarity is therefore needed on the pro-rata infrastructure requirements for each allocation at the Plan stage in an adopted policy so that delivery can be tested through plan-making and certainty of provision can be secured through a policy.

Question 14 Costed transport evidence

- 1.1.15. Neither sufficiently coherent nor agreed. HDC14 identifies £10.741m of local-road mitigation, including £2.525m retained for three Leicester junctions ([paragraphs 5.95–5.99, p.23](#)). However, LCC's later officers' report records unresolved transport strategy and junction matters ([Table 1, p.8; paragraphs 36–38, p.9](#)). Separately, the [Bushby highways SoCG, paragraphs 2.8–2.9, pp.2–3/PDF pp.3–4](#) records omitted LSGR/Scraptoft inputs and subsequent correction. This requires a traceable reconciliation before cumulative conclusions are transferred between studies. The Panel needs the agreed scheme–scenario–cost–site connection required to test [paragraph 114, pp.32–33](#). [Reg19, sections 3.2 and 4.2, pp.13–23](#).

Question 15 Vision-led mitigation and viability

- 1.1.16. Confidence depends on funded measures delivering the assumed behavioural change. A vision is not a substitute for that evidence. HDC infers improved viability from a roughly £20m fall in the aggregate infrastructure total ([HDC12, PDF pp.4–5](#)); yet its IDP expressly warns that this total is not the cost burden tested for viability ([HDC11, p.7](#)). A lower district total therefore does not establish greater, for instance, SA02 headroom. [HDC14, Appendix A, p.35](#) treats an orbital-road upgrade as potentially supporting growth beyond this Plan. Such an upgrade would be subject to substantial costs: current allocations must work on the current package's evidence. Later evidence is legitimate, but changed mitigation must be reconciled with site costs and simultaneous policy delivery before it can justify the strategy. [Reg19, sections 3.2 and 4.1–4.2, pp.13–23](#).

Question 16 Joint delivery of strategic sites

- 1.1.17. There is evidence of proposed coordination, not yet a demonstrated joint delivery programme. DS05 identifies the housing clusters and MP1/MP2 for coordinated assessment ([HDC14, p.30](#)). But the A5/SRN treatment remains disputed: National Highways supports no further plan-stage mitigation, while LCC and Warwickshire disagree ([HDC14, paragraphs 5.88–5.92, p.22](#)). For housing, LCC identifies unresolved education delivery mechanisms (Question 3). The Panel should test shared infrastructure against concurrent trajectories, lead bodies and funding dates. The existence of separate application-stage obligations does not establish that interdependent schemes can proceed together. [Reg19, sections 4.2–4.3, pp.20–23](#).

Issue 2: Viability

Question 1 Evidence, risk and existing requirements

- 1.1.18. The methodology is recognisable, but SA02's current policy-compliant viability is not established by the updates. [INF-NLP3, Table 7.2, p.86/PDF p.91](#) shows the whole 4,000-home cross-boundary scheme's residual land value £13.395m below its assumed benchmark, not an infrastructure funding deficit, and calls it marginal.

- 1.1.19. Contingency covers cost uncertainty; profit compensates development risk. Neither is automatically spare infrastructure funding. [INF-NLP3, pp.61–63/PDF pp.66–68](#) assumes 2.5% greenfield contingency and 17.5% market-housing return; [PPG Viability, paragraph 013](#) requires contingency to be justified against risk and return, not presumed double counting.
- 1.1.20. Emerging requirements are not all new: HDC says most open-space quantity standards remain unchanged, but parks/gardens increase from 0.5 to 0.8ha/1,000 people. Existing burial provision is 0.35ha/1,000 and £94.13/person, rising to £102.70/person ([HDC6, paragraphs 40–41, p.9](#)); SA02 requires three hectares of land ([submitted Plan, criterion 4\(e\), p.82](#)). Burial provision is therefore not wholly new. Funding is proposed through on-site provision or proportionate obligations ([IDP, section 4.4.3, p.49](#)).

Question 2 CIL in viability testing

- 1.1.21. Yes: test the intended CIL charge alongside all other attributable policy costs for liable typologies, without double counting. For nil-rated strategic sites, test the complete bespoke package instead ([HDC6, paragraphs 24–26, p.6](#)). CIL cannot simultaneously be excluded from a site's appraisal and treated as an assured source for its infrastructure without an evidenced allocation of receipts. The missing bridge is between the charging assumptions, site obligations and funded delivery, not simply whether CIL appears in the policy. [Reg19, sections 4.1–4.2, pp.17–23](#).

Question 3 Policy and appraisal consistency

- 1.1.22. There is a specific reconciliation gap. [INF-NLP4, paragraphs 3.21–3.22, PDF p.11](#) says the January appraisal omitted the later 10% older-persons requirement and relies on emerging CIL testing of schemes “over 100 units”. [HN04\(2\), p.103](#) applies at 100 dwellings or more, subject to suitable location. The wording mismatch does not prove the model omitted 100-home schemes; the underlying test is needed. HDC12's aggregate update does not resolve it. The Panel should establish that exact thresholds and all applicable requirements were tested together. [Reg19, section 4.1, pp.17–20](#).

Question 4 External funding

- 1.1.23. The identified routes include infrastructure-provider investment, public funding and potential Homes England/New Homes Accelerator support. Their evidential status differs. [HDC11, p.7](#) identifies utility investment programmes; [HDC4C, paragraph 1.5, p.5](#) describes access to potential support, not an award underwriting SA02's whole programme. These are not interchangeable committed funds. For each critical gap, the Panel needs a plausible amount, timing, conditions and responsible funder. Public-sector participation improves delivery prospects but cannot by itself close an unquantified shortfall. [Reg19, sections 4.1–4.2, pp.17–23](#).

Question 5 Missing addendum and 40% affordable housing

- 1.1.24. Not on the evidence provided for SA02. HDC promised a transparent, policy-linked strategic-site assessment ([HDC6, paragraph 52, p.12](#)); HDC12 supplies an aggregate comparison, not that reconciliation. The January appraisal relied on a standard developer model; the promoter's reported 25% master-developer IRR was not supplied as an appraisal ([INF-NLP3, pp.92–93/PDF pp.97–98](#)). These are not equivalent measures of return. For instance, more recently, the recently submitted outline planning application for site SA02 (HDC ref: 26/01350) states, within its Planning Statement an aspiration of “up to 40%” while costs remain under discussion. That is not proof that 40% is impossible; it is not confirmation that the Plan's full package is viable either. STNT seeks deletion, not reduction of affordable housing to rescue SA02. [Reg19, section 4.1, pp.17–20](#).

Question 6 Replaced transport costs and SRN

- 1.1.25. The record does not support treating all walking/public-transport measures as removed: OA1 retains those categories ([HDC11A, TR40–TR42, PDF p.2](#)). [HDC14, paragraphs 5.71 and 5.95–5.99, pp.18 and 23](#) explains replacement of road-junction costs. Transparency requires a reconciliation of retained, replaced and additional measures, including revenue support for modal change. Zero SRN provision rests on National Highways' assessment, but HDC records LCC/Warwickshire disagreement ([paragraphs 5.88–5.92, p.22](#)). Any necessary attributable

mitigation identified later would increase or redistribute s106/s278 burdens; it cannot be assumed costless in viability testing. [Reg19, sections 4.1–4.2, pp.17–23](#).

Question 7 Exceptional viability reviews

- 1.1.26. DS05's exceptional, independently verified open-book review is appropriate in principle, but cannot repair the unresolved January appraisal/addenda baseline examined at Questions 1 and 5 ([submitted DS05, p.42](#)). [NPPF paragraph 58, p.16](#) places the application-stage justification on the applicant. [PPG Viability, paragraphs 002 and 010](#) rejects land price as justification for non-compliance and reviews as protection of developer returns. For instance, the Plan should not rely on later reviews to decide whether SA02 can provide the infrastructure and affordable housing already assumed in its strategy. [Reg19, section 4.1, pp.17–20](#).

Question 8 Consequence of inability to fund infrastructure

- 1.1.27. At plan-making, the Panel should not endorse development whose necessary infrastructure lacks a realistic delivery route. At application stage, a viability shortfall does not itself justify omitting necessary mitigation; the development plan governs unless material considerations indicate otherwise ([NPPF paragraph 2, p.4](#)). Conditions and phasing can manage a workable solution, not create one. [NPPF paragraphs 69 and 74, including footnote 39, pp.19–21](#) allow proportionate uncertainty for later phases, not unsupported reliance on them. For SA02, STNT's conclusion from the cumulative evidence is deletion; for MP1/MP2, the disputed dependencies require their own demonstrated solution. [Reg19, sections 4.1–4.3, pp.17–23](#).

Question 9 Overall infrastructure framework

- 1.1.28. Not sufficiently for SA02. The decisive problem is simultaneous delivery: affordable housing, education, transport and utilities must fit the same viable, phased scheme. LCC's October report retains education priority over transport where viability is constrained ([paragraph 47, p.10](#)); that exposes the risk that solving one requirement leaves another unfunded. LCC favours a modified Plan ([paragraph 61, p.12](#)); STNT's distinct case is that wording, conditional phasing and potential support have not demonstrated that SA02's interdependent

requirements can be delivered together. The Panel should find SA02 insufficiently justified and effective under [NPPF paragraph 35, pp.11–12](#), and delete it with consequential changes to the strategy and trajectory. [Reg19, sections 4.1–4.3, pp.17–23](#).