

Bassetlaw Local Plan 2020 - 2037: Publication Version

Regulation 16 Consultation November 2020: Schedule of Representations



Bassetlaw
DISTRICT COUNCIL
— North Nottinghamshire —

REFERENCE NUMBER	ORGANISATION	POLICY/PAGE/PLAN PART	COMMENTS	OFFICER RESPONSE
CIL RESPONSES				
1195356	Resident	Community Infrastructure Levy	You quote this yet following your review , we find out this has now been scrapped so no money for infrastructure , so your planning on building 1500 houses (Peaks Hill Farm ST15 HS1) , 3000 people minimum and 3000 potential cars but not doing anything to the roads or creating schooling or doctors or dentists to cope with demand which is currently at its max 6 week wait for doctors appts and 8 week ait for standard dental check up.	Noted.
REF194	Clarborough and Welham Parish Council	Community Infrastructure Levy	The proposed changes to the way CIL is allocated for developments over 50 houses does, in our view, penalise those Parishes where larger developments have been proposed in existing Neighbourhood Plans. The suggestion that developers should take responsibility for utilising that funding flies in the face of much experience. Developers in many areas are well known for making promises and then not following up when the development is complete. Why is there a need for this change, Parish Councils are in a better position to know what infrastructure is needed in their Parish?	The Whole plan viability assessment evidences the approach taken to exempting the strategic sites and relates to those sites having significant amount of site related infrastructure which leads to higher S106 costs. This is consistent with national planning practice guidance.
REF200	Notts CC	CIL Charging Schedule	Page 3, Paragraph 2.5 It is noted that the Infrastructure Delivery Plan will be used to set out the types of infrastructure that will be delivered through CIL and that which will be delivered by S106 planning obligations It is not clear at present what the purpose of the CIL is. In light of the ability of projects to be funded both by CIL and S106 obligations, the County Council would welcome the opportunity to work with the District Council to identify and keep under review the types of infrastructure that will be	The Whole plan viability assessment evidences the approach taken to exempting the strategic sites and relates to those sites having significant amount of site related infrastructure which leads to higher S106 costs. This is consistent with

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			funded by CIL (and S106), especially where this relates to infrastructure that would be delivered by the County Council.	national planning practice guidance. A variety of mechanisms can be used to fund infrastructure; s106, CIL and planning conditions. All will be used through negotiation with NCC to ensure necessary NCC infrastructure required to support new development is secured.
REF200	Notts CC	CIL Charging Schedule	Page 5, Paragraphs 3.15 & 3.16 It is noted that, as a result of the various planning obligations that would be sought for site specific infrastructure, the imposition of a CIL charge on the various strategic sites proposed in the Local Plan would make these sites unviable. As a result, it is proposed to have a zero CIL charge on housing site allocations of 50 dwellings or more. The County Council note this but is concerned that the lack of any CIL receipts on sites of over 50 dwellings will prejudice strategic infrastructure provision. It is not clear what projects the CIL is intended to fund. It is assumed that S106 obligations will still fund matters directly related to the impact of the development which are necessary to make the development acceptable. This is to help ensure that the site-specific infrastructure which is required, and which may be delivered by the Council, is identified, secured and delivered in a timely manner to meet the needs of these sites.	The Whole plan viability assessment evidences the approach taken to exempting the strategic sites and relates to those sites having significant amount of site related infrastructure which leads to higher S106 costs. This is consistent with national planning practice guidance. A variety of mechanisms can be used to fund infrastructure; s106, CIL and planning conditions. All will be used through negotiation with NCC to ensure necessary NCC

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			Details of the infrastructure which may be sought by the County Council through Planning Obligations can be found in its Planning Obligations Strategy	infrastructure required to support new development is secured.
REF200	Notts CC	CIL Charging Schedule	Page 7, Paragraphs 5.2 – 5.4 These paragraphs confirm that CIL monies may be passed to the County Council to infrastructure such as education and highways. It is noted that the process for passing monies to the County Council will be detailed in a future document once the CIL has been adopted. The County Council welcomes reference to CIL monies being passed to NCC to allow infrastructure to be delivered. The County Council wishes to meet with the District Council to discuss the proposed approach, process and requirements for obtaining CIL monies that will be put in place. This is to ensure that CIL monies are passed through to the County Council and which allows the infrastructure that is required to be delivered to meet the needs of the community in a timely manner.	Noted.

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1196694	Resident	Community Infrastructure Levy	Cannot find a form to comment on the Bassetlaw CIL Draft Charging Schedule, so will include that here. The Bassetlaw CIL Draft Charging Schedule document is baffling. Given the council is asking for the public to comment, it should be made more accessible and understandable. As I read it: 3.8 states that the WPVA has concluded that the CIL rate proposed can be achieved and will not threaten overall delivery of the plan. 3.9 – WPVA concludes significant margin exists, beyond a reasonable return to developer, to accommodate CIL. 3.13 states no variation in CIL charge of £25/square meter between development areas. 3.14 - £25 is maximum that can be secured, option of £20 charge is dismissed as insufficient 3.16 – Even assuming there are missing commas in this sentence and possibly a typo at the end with a missing “is”, this sentence does not make sense. It does not explain how the previous £25 becomes £0. Does it mean the contribution of £25 would come, not from CIL, but from Section 106 contributions? If that is the case, how can a final figure be proposed when Section 106 contributions are negotiable and can be waived (2.4)? 4.3 How can this calculation be related to CIL when a £0 rate is proposed?	The CIL Charging Schedule states that the rate is the maximum rate residential development can achieve across the district with affordable housing and developer contributions. This is consistent with national policy. Infrastructure can be secured from new development via different mechanisms; CIL is only one option. Developer contributions and planning conditions can also be used.

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REF270 (LAA)	Barton Willmore	Community Infrastructure Levy	<p>This represents the first stage in the consultation process to review the CIL across the Bassetlaw District. Once adopted, the new CIL will be a fundamental tool for delivering the strategic vision of the emerging Local Plan. Support the draft Charging Schedule which seeks to no longer apply a CIL charge for employment (B) uses. The Whole Plan Viability Assessment within the evidence base has been prepared to provide detailed evidence to determine the viability and deliverability of the Local Plan and to determine the level of the CIL charge across Bassetlaw. The Viability Assessment concludes that the Council can be confident that the proposed CIL rates can be achieved without having an adverse impact on the deliverability of the emerging Local Plan. Supportive of the Charging Schedule which states at paragraph 3.21 that, aside from residential and retail developments, all other uses across Bassetlaw will not have a CIL charge.</p>	Noted.

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REF272	NHS Bassetlaw CCG	Community Infrastructure Levy	<p>Bassetlaw Community Infrastructure levy disappointingly has a lack of recognition of the impact of community development on health services, indeed, health is not mentioned once through the document whilst stating 'The Council recognises that in order to deliver the level of growth identified within the emerging Local Plan, it will be necessary to align plans and funding for new infrastructure. In order to help deliver the infrastructure identified by the Plan the Council undertook work to identify the infrastructure needs across the District' This is juxtaposed to the recognition in the Infrastructure delivery plan. Health partners would welcome a further conversation about CIL the proposed details and implications of the proposed CIL charging schedule. Unlike S.106 developer contributions this is non-negotiable, but the proposal won't attract any funding from sites of over 50 dwellings (due to viability issues) yet for health services these are the sites that will create the most significant increase in demand for services. • We suggest that further consideration needs to be given within the document to health partners as key stakeholders. 'The Council's Infrastructure Delivery Plan (IDP), 2020 considers the level of growth identified in the Local Plan and through engagement with key stakeholders' (such as utility companies, infrastructure partners and Nottinghamshire County Council) outlines what infrastructure is required in the District, who is to provide it, how it will be funded and when it is required.</p>	<p>It is expected that contributions towards health services will be secured from development via Section 106 agreements and not CIL. The Council will continue to work with the CCG to ensure that impacts upon health facilities through Local plan growth are appropriately managed.</p>

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REF276	Bassetlaw District Council	Community Infrastructure Levy	The changes are not acceptable to some Parish Councils: A reduction in CIL rate £/sqm might safeguard Developers profits but this at the expense of the Parishes and to the detriment of the facilities that the Parish Councils provide. If it is deemed necessary that the rate of CIL payable by a developer is set at £25 per sqm (dropped from the £55 per sqm currently paid to some parishes) to maintain or enhance developer margins or for other reasons, the percentage of CIL monies collected by BDC and subsequently paid to Parishes currently 15% or 25% should be increased to compensate to match existing returns (so in effect those Parishes where a CIL collection rate of £55 per sqm prevails do not lose out and it is BDC that receives proportionately less not those Parishes).	The proposed charges are evidenced by the Whole Plan Viability Assessment. This is the maximum that can be achieved in balance with affordable housing and developer contributions.
REF283	Resident	Community Infrastructure Levy	I have also reviewed your CIL Draft Charging Schedule Jan.2020 and have no comments to make, other than that the principle of funding infrastructure by this means should be extended to cycling and walking infrastructure, not just road improvements, and projects identified in the District's Regulation 123 schedule.	Walking and Cycling infrastructure will either come via a policy required for proposed allocated sites or through Section106 agreements.

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REF305 -	Department for Education	Community Infrastructure Levy	<p>One of the tests of soundness is that a Local Plan is 'effective', meaning the plan should be deliverable over its period. In this context and with specific regard to planning for schools, there is a need to ensure that education contributions made by developers are sufficient to deliver the additional school places required to meet the increase in demand generated by new developments. The Council should set out education infrastructure requirements for the plan period within an Infrastructure Funding Statement. Where additional need for school places will be generated by housing growth, the statement should identify the anticipated CIL and Section 106 funding towards this infrastructure. The statement should be reviewed annually to report on the amount of funding received via developer contributions and how it has been used, providing transparency to all stakeholders. Local authorities have sometimes experienced challenges in funding schools via Section 106 planning obligations due to limitations on the pooling of developer contributions for the same item or type of infrastructure. However, the revised CIL Regulations remove this constraint, allowing unlimited pooling of developer contributions from planning obligations and the use of both Section 106 funding and CIL for the same item of infrastructure. The advantage of using Section 106 relative to CIL for funding schools is that it is clear and</p>	<p>The Council will continue to work with NCC to ensure that the Local Plan appropriately provides for education facilities to mitigate impacts upon local education infrastructure. The mechanism used will be determined once the requirements for education are confirmed.</p>

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			<p>transparent to all stakeholders what value of contribution is being allocated by which development to which schools, thereby increasing certainty that developer contributions will be used to fund the new school places that are needed. DfE supports the use of planning obligations to secure developer contributions for education wherever there is a need to mitigate the direct impacts of development, consistent with Regulation 122 of the CIL Regulations.</p> <p>21. DfE would be particularly interested in responding to any update to the Infrastructure Delivery Plan/Infrastructure Funding Statement, viability assessment or other evidence relevant to education which may be used to inform local planning policies and CIL charging schedules. As such, please add DfE to the database for future consultations on relevant plans and proposals.</p>	

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REF334 -	Sutton Parish Council	Community Infrastructure Levy	<p>The Parish Council wish to object to the proposed changes in the CIL draft charging schedule. At this point in time the present level of £55-00 per square metre is not deterring rural development and will not therefore as suggested in the CIL draft charging schedule prevent delivery of the Local Plan. Developers charge a premium for rural properties so present levels are acceptable and are delivering properties</p> <p>In arriving at the Draft Charging Schedule there is a reference to the Infrastructure Development Plan being arrived at through engagement with key stakeholders. It is disappointing that Parish Councils were not regarded as key stakeholders and that the 53 million identified as the cost of infrastructure to deliver the Plan will no doubt contain little for Parish Council's. The purpose of CIL is being ignored as it isn't a tool to help deliver a local plan. The Community Infrastructure Levy is designed to help communities deliver the infrastructure required to accommodate the increase in properties. The same rate proposal therefore suggests that the infrastructure required to deliver a development in Worksop is the same as to deliver a similar development in a rural community that has very little existing infrastructure or public transport. This change will alter the bottom line for developers and see a lot more pressure from developers to build on land within rural communities and the Parish Council fail to see how this supports the Local Plan's spatial strategy. This proposal will result in a significant loss to Rural Parish Councils with Neighbourhood Plans. This equates to a £1500 loss for every 10m x 10m property. A 10 dwelling</p>	<p>The proposed charges are evidenced by the Whole Plan Viability Assessment. This is the maximum that can be achieved in balance with affordable housing and developer contributions.</p>

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			<p>development for example will see developers with an extra £60,000 in their pockets hence the change to the bottom line 20% Cap</p> <p>There is a requirement to deliver a minimum of 1090 dwellings within the rural communities over the Plan period. The 20% cap will actually deliver 2124 properties, more or less a 100% increase over what is required. There is no explanation in the Plan how this is justified. The actual percentage figure to deliver the requirement is around 10.5% . The Parish Council appreciate that this is a minimum requirement but won't additional properties arise from those Parishes that are happy to exceed their cap to deliver on infrastructure projects from CIL receipts.</p> <p>Incidentally the table on pages 36 and 37 does not have correct figures for the 20% increase figure for Dunham on Trent and High and Low Marnham</p> <p>Developers will see this figure as a target to build to and not as an absolute maximum with the result that the rural communities will increase by 100% more than intended with the subsequent pressure on infrastructure. The character of these communities will be changed forever.</p>	