

Bassetlaw Local Plan Examination

Matter 14: Infrastructure and Delivery, and Monitoring

North Road, Retford (Policy HS7 and EM006)

Prepared by Fisher German LLP on behalf of The Hospital of
The Holy and Undivided Trinity

Project Title

North Road, Retford

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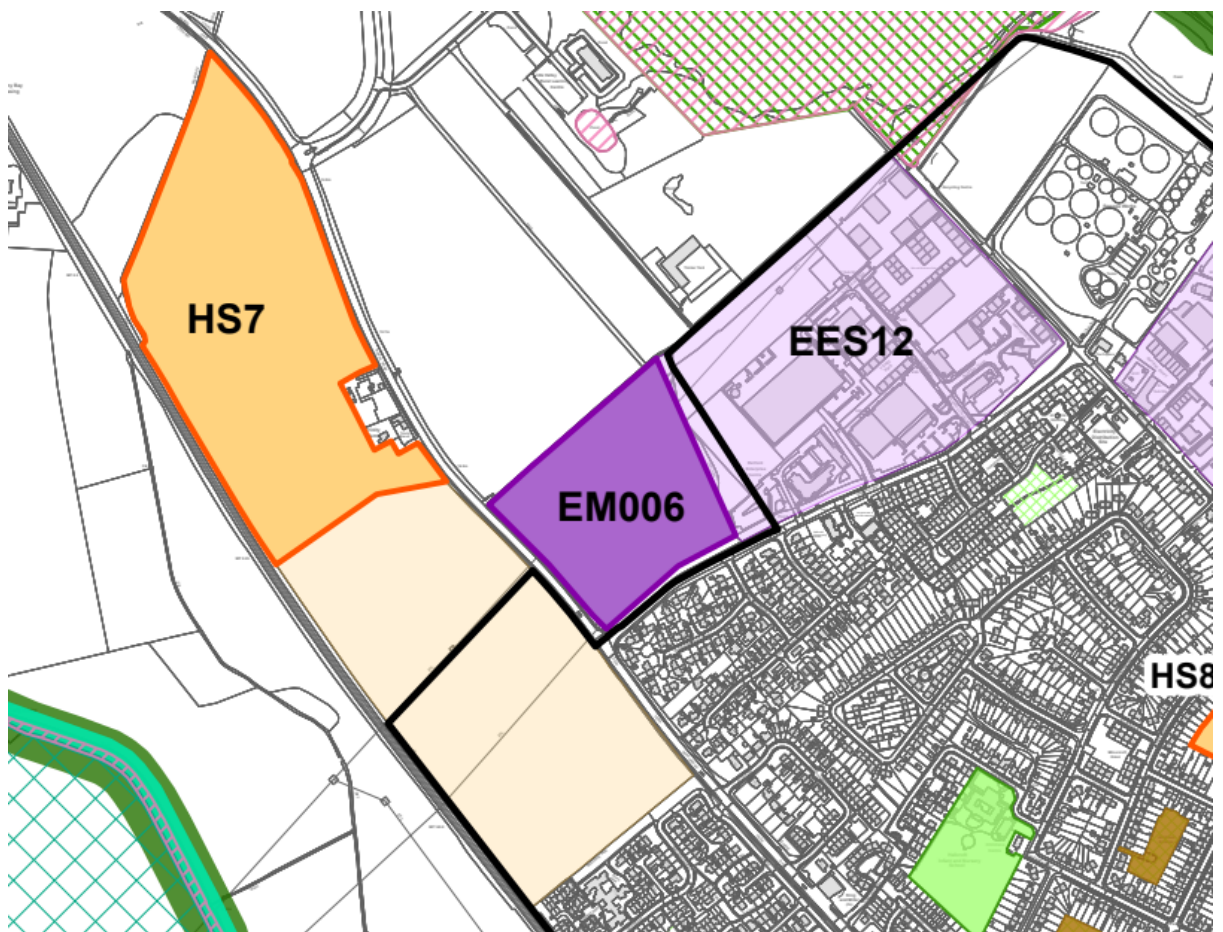
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1. Introduction

1.1 This Hearing Statement has been prepared on behalf of The Hospital of The Holy and Undivided Trinity in respect of their land interests at North Road, Retford, proposed allocation HS7 and EM006, as illustrated on Figure 1.

1.2 Land immediately south of proposed allocation HS7 (buff shading on Figure 1 below) was promoted by The Hospital of The Holy and Undivided Trinity through the previously withdrawn Site Allocations Development Plan Document. An outline planning application was subsequently prepared by The Hospital of The Holy and Undivided Trinity for 196 dwellings (15/00493/OUT) and 11 hectares of employment land.



Bassetlaw Local Plan 2020-2038: Publication Version Policies Maps Composite, July 2022 (The Hospital of The Holy and Undivided Trinity Land Interests HS7 and EM006)

1.3 The residential scheme is now being built out Avant Homes (20/01477/RES), and the employment land to the east of North Road (EM006) will shortly be brought forward. There is active market

interest in proposed allocation HS7 and terms for disposal are currently being negotiated with a house builder.

- 1.4 The Hospital of The Holy and Undivided Trinity support the proposed allocations and remain committed to delivery, as evidenced by the successful delivery of the initial phase of land which is currently bringing forward high quality housing in a sustainable location to the north of Retford, one of the most sustainable settlements in Bassetlaw.
- 1.5 This Statement should be read alongside the Statement of Common Ground signed by The Hospital of the Holy and Undivided Trinity and Bassetlaw District Council.

2. Matter 14: Infrastructure and Delivery, Monitoring (Policies ST56-58)

Issue 14 – Does the Plan set out a positively prepared strategy and policies for infrastructure, delivery and monitoring which is justified, effective and consistent with national policy?

Q14.3: a) Are the requirements of Policy ST58 clear, justified and consistent with national policy? Would they be effective?

- 2.1 The requirements of ST58 are clear, justified and consistent with national policy. The policy is written with an element of openness, which enables site specific consideration of infrastructure provision. This enables decision makers to approach each application on its individual merits and develop a package of developer contributions commensurate with the proposal and in full accordance with the requirements of the CIL regulations and planning policy. In this context it is considered that the policy is likely to be effective.

b) Is there robust and convincing evidence to demonstrate that the Policy's provision not to charge CIL on developments of over 50 dwellings, justified by robust evidence? Would this secure the necessary infrastructure to support the development proposed in the Plan? Would this approach adequately address the cumulative impacts of development?

- 2.2 Whilst it is recognised that this is an issue that will be fully explored through the subsequent CIL examination, it is acknowledged that it also relates to the deliverability of the submitted Plan and as such it is reasonable to examine the approach insofar as it relates to the deliverability and soundness of the Local Plan.
- 2.3 Paragraph 34 of the NPPF is clear that development contribution policies, which must surely include CIL, "should not undermine the deliverability of the plan".
- 2.4 The evidence supporting the Plan, and the Council's experience of seeking to deliver sites which have been the subject of CIL, demonstrates that the approach to not charge CIL on developments of over 50 dwellings is justified and sound.
- 2.5 It is clear that the Council fully understands the impact CIL has had on delivery of housing and is looking to positively resolve this rather than relying on the process of an exemption test for sites as they achieve planning permission; delaying delivery further.

- 2.6 The land directly to the south of proposed allocation HS7, is one of many sites in Bassetlaw which has been the subject of CIL exception.
- 2.7 The scheme was advanced with a full S106, delivering policy compliant affordable housing, compliant education contributions, community contributions, public transport contributions and highways mitigation. However, in order to achieve this an exemption from CIL was sought. A detailed Viability Assessment (January 2021) confirmed that the scheme was not viable with the CIL payment applicable to the scheme, This position was verified through an independent verification process, which concluded that with CIL applicable it would have an *“unacceptable impact on the economic viability of the project”*.
- 2.8 The approach proposed through the emerging Plan will not come at the expense of the delivery of the most vital infrastructure, as clearly it is still within the Council’s gift, through the Section 106 process, to procure funding for infrastructure projects or other contributions necessary to make any development acceptable in planning terms; as was the case for the land immediately south of proposed allocation HS7.
- 2.9 Furthermore, with the removal of the restriction on “double dipping”, it is possible for the Council to secure funding for items on the historic 123 List from schemes of 50+ dwellings schemes through Section 106; subject to the requests being necessary to make the development acceptable in planning terms; directly related to the development; and, fairly and reasonably related in scale and kind to the development. As such, the proposed approach to CIL will not unnecessarily restrict the ability to deliver the Infrastructure needed to support the Plan or its allocations, nor would lead to issues with cumulative development, subject to constant monitoring and strong implementation by the Council.
- 2.10 The Council’s proposed approach to CIL in the emerging Plan is considered justified and sound. It would not however be sound to require development to deliver CIL when the Council is fully aware that such schemes are unlikely to be able to support CIL on top of other developer contributions. Such an approach would impact strategic development in Bassetlaw impacting the overall spatial delivery of the Plan. It could also have a significant impact on the ability to deliver affordable housing, which is sorely needed, as the re-negotiation of affordable housing provision is normally the first thing developers seek to reduce in ensuring the viability of a project. Unlike the provision of CIL, which is non-negotiable through the planning application process, affordable housing

provision can be negotiated wherein there are issues of viability.

- 2.11 Considering all these matters and the likely impacts, failure to impose a CIL zero tariff on schemes of 50 dwellings and greater would not be justified, effective, nor consistent with national policy. Failure to implement this measure could have significant impacts on the overall delivery of the Local Plan and its allocations.

c) Is sufficient clarity provided with regard to the review mechanism?

- 2.12 Policy ST58 at criterion 8 contains a review mechanism to be utilised for approved schemes with a non-policy compliant offer; for phased, larger scale developments; and, for developments that have abnormal costs. This approach is supported.

- 2.13 The application of this policy is in essence pro-development, enabling developments to proceed with mechanisms to capture uplifts in land value. This is entirely supported, as seeks to enable developments to advance quickly with avenues for land value uplifts to be captured if achieved, but without risking the overall viability of development proposals.

- 2.14 the proposed wording, enables a site-by-site approach to be adopted,

d) Is the policy sufficiently flexible?

- 2.15 Yes, it is considered that policy is sufficiently flexible as discussed 1.4 above.

e) Are there any omissions from the proposed policy and supporting text?

- 2.16 There are no omissions which would impact the policies soundness and thus pertinent to this examination.