

Barton Willmore, now Stantec on behalf of Howard (Retford) Limited

Examination into the Bassetlaw Local Plan

Matter 14: Infrastructure and Delivery, and Monitoring

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?

Q14.1

a) Does Policy ST56 provide an effective framework to ensure the delivery of the necessary infrastructure? In particular, is the requirement to safeguard the land to deliver area-wide or site-specific infrastructure justified and consistent with national policy? Would the policy be effective particularly with regard to enabling the delivery of future transport schemes?

b) Are the policy's requirements supported by up-to-date evidence?

c) Have the implications of the policy in relation to viability been appropriately tested?

d) Is the policy sufficiently flexible?

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

1. Our Client has no comment to make in response to this question.

Q14.2

a) Are the requirements for the provision of digital infrastructure in Policy ST57 justified, would they be viable and does the policy provided an effective framework to deliver this infrastructure?

b) Is the suggested main modification necessary for soundness?

2. Our Client has no comment to make in response to this question.

Q14.3

a) Are the requirements of Policy ST58 clear, justified and consistent with national policy? Would they 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?

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

d) Is the policy sufficiently flexible?

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

f) Are the suggested main modifications to the supporting text necessary for soundness?

3. Each of the above Q14.3 sub-questions are addressed in turn below in relation to our Client's interests at Ordsall South:
- a) Paragraph 57 of the National Planning Policy Framework (NPPF) is clear that planning obligations must only be sought where they meet all of the following tests, as set out in Regulation 122(2) of the Community Infrastructure Levy Regulations 2010:
- a. 'necessary to make the development acceptable in planning terms;
 - b. directly related to the development; and
 - c. fairly and reasonably related in scale and kind to the development.'

Policy provision 2(d)(ii) of Policy ST58 states that proposals which form all or part of a site allocation must be accompanied by a masterplan which incorporates the infrastructure identified by the most up to date Infrastructure Delivery Plan.

In the justification text of Local Plan ST58, the Council state at paragraph 12.3.8 that the Bassetlaw Infrastructure Delivery Plan (document reference: BG-041) sets out the infrastructure required to deliver the growth identified in the Local Plan, including the costs, delivery partners, and the timing of provision.

It is understood that the Infrastructure Delivery Plan is a 'living document', as described by the Council at Local Plan paragraph 12.3.9, to be reviewed periodically. However, our Client is concerned that the Infrastructure Delivery Plan is being reviewed and updated unilaterally. There are requirements in the latest Infrastructure Delivery Plan published in July 2022 (document reference: BG-041) that have not been discussed with our Client and are not considered justified. It is imperative that the updating of the Infrastructure Delivery Plan is undertaken transparently and following engagement with key stakeholders such as landowners and Applicants to ensure that the infrastructure identified is consistent with paragraph 57 of the NPPF.

At Appendix 2 of the Infrastructure Delivery Plan, the Council detail the infrastructure which in their view is required to deliver Site HS13 Ordsall South – these requirements are included at Appendix 1 of this Matter Hearing Statement for convenience. Our Client is of the view that a number of requirements identified are not justified and has provided a comment next to each Infrastructure Item identified by the Council at Table 1 below.

Table 1: Infrastructure Delivery Plan published in July 2022 Ordsall South Requirements

Site HS13: Ordsall South, Retford		
Infrastructure Type	Infrastructure Item	Our Client's Response
Education		
Education, primary	1.0 form entry primary school & 26 place early years facility	<p>In the Infrastructure Delivery Plan – Baseline Assessment (document reference: TI-007), the Council identify that there is projected to be a surplus of 263 primary places in the Retford Primary Planning Area in the five-year projection period 2019-2024, and that there is sufficient primary school places in Retford to accommodate the needs of the proposed development in the Local Plan (paragraph 4.17).</p> <p>As part of the scheme at Ordsall South, as required by Policy 27, our Client has identified 1.5ha of land sufficient to accommodate a 1.0 Form primary school.</p> <p>As the existing capacity of primary schools in Retford is sufficient to meet demand over the plan period, and a new primary school is to be</p>

		<p>delivered at Ordsall South, it is considered that a financial contribution towards enabling primary school education to address pupil growth associated with the development is not justified.</p> <p>In addition, it is not clear how the Council have reached the figure of £5,459,598 as the cost of the new school at Ordsall South. This figure is considered artificially high and should be reduced.</p>
Health		
Healthcare, primary	New GP branch surgery - approx. 218 sqm GIA - and community healthcare facilities	The new local centre being delivered at Ordsall South is being brought forward with sufficient flexibility to enable the provision of a health hub in line with Policy 27.
Healthcare, Bassetlaw Hospital	Non-specific contribution towards increasing acute healthcare capacity in the area	Our Client objects to this requirement. A 'Non-specific contribution' in relation to 'projects and timescales (which) have not yet been identified' (Appendix 2 of document reference TI-007) is in conflict with paragraph 57 of the NPPF and cannot be justified.
Adult Social Care	Extra care housing on site	Extra care housing is being delivered as part of the Ordsall South scheme. It is therefore not necessary for the Council to also seek a financial contribution and as such this requirement cannot be justified.
Green infrastructure, Sport and Open Space Improvements (inc. Community Facilities and Flood Management)		
Sports facilities	Provision of sports facilities on site	Sports provision is being delivered as part of the Ordsall South scheme. It is therefore not necessary for the Council to also seek a financial contribution and as such this requirement cannot be justified.
Sports facilities	Contribution to enhancing Retford Golf Course	In the allocation policy justification text, paragraph 7.14.4 refers to land in use by Retford Golf Club as a training range forming part of the wider allocation site. It is unclear why a financial contribution is required to offset the loss of the training range for presumably the golf club's management committee would decide how to invest any receipts from the sale of the land for development. It is therefore not necessary for the Council to also seek a financial contribution and as such this requirement cannot be justified.
Community centre	Provision of a community centre on site	The new local centre being delivered at Ordsall South is being brought forward with sufficient flexibility to enable the provision of a community centre.
Green Infrastructure	Provision of a country park on site	A 23ha community park is being delivered as part of the Ordsall South scheme. It is therefore not necessary for the Council to also seek a financial contribution and as such this requirement cannot be justified.
Green Infrastructure	Provision of a Suitable Alternative Natural Greenspace	Ordsall South is being brought forward alongside a comprehensive landscaping scheme which is to include approximately 12ha of amenity greenspace. It is therefore not necessary for the Council to also seek a financial contribution and as such this requirement cannot be justified.
Green Infrastructure	Provision of children's play space on site	Children's play areas are being delivered as part of the Ordsall South scheme. It is therefore not necessary for the Council to also seek a financial contribution and as such this requirement cannot be justified.
Green Infrastructure	Provision of multifunctional open space on site	In total, approximately 52ha of green infrastructure is proposed as part of the Ordsall South scheme. It is therefore not necessary for the Council to also seek a financial contribution and as such this requirement cannot be justified.
Green Infrastructure	Provision of allotment space	Approximately 0.8ha of allotment provision is being delivered as part of the Ordsall South scheme. It is therefore not necessary for the Council to also seek a financial contribution and as such this requirement cannot be justified.

Green Infrastructure	Provision of trees to contribute to carbon offsetting	The Ordsall South scheme is being brought forward alongside a comprehensive landscaping scheme which includes enhanced tree planting and a 23ha community park. It is therefore not necessary for the Council to also seek a financial contribution and as such this requirement cannot be justified.
Flood management	Provision of a strategic sustainable drainage system	A comprehensive drainage strategy is delivered as part of the Ordsall South scheme. It is therefore not necessary for the Council to also seek a financial contribution and as such this requirement cannot be justified.
Transport		
Transport, highways	Contribution towards improvements at A620 Babworth Road / B6420 Mansfield Road / A620 Straight Mile / Sutton Lane	<p>The Transport Assessment undertaken to support development at Ordsall South demonstrates that this junction is operating with spare capacity and therefore no highways improvement works are required.</p> <p>The capacity assessment has been undertaken based upon more up to date traffic counts than those used to inform the Infrastructure Delivery Plan.</p> <p>The Ordsall South development is incorporates demand management in the form of effective Travel Planning, bus service funding, and by meeting the everyday needs of residents on site through such provision as a new local centre.</p> <p>It is therefore considered that this obligation is not justified.</p>
Transport, highways	Contribution towards improvements at London Road / Whinney Moor Lane / Bracken Lane	<p>The Transport Assessment undertaken to support development at Ordsall South demonstrates that this junction is operating with spare capacity and therefore no highways improvement works are required.</p> <p>The capacity assessment has been undertaken based upon more up to date traffic counts than those used to inform the Infrastructure Delivery Plan.</p> <p>It is therefore considered that this obligation is not justified.</p>
Transport, highways	Contribution towards improvements at London Road / Whitehouses	Our Client is committed to mitigating the impact of Ordsall South from a highways perspective, and is proposing to implement a right turn ghost island priority T-junction to replace the existing mini-roundabout layout at this junction.
Transport, highways	Contribution towards improvements at A638 Arlington Way / London Road	<p>The Transport Assessment undertaken to support development at Ordsall South demonstrates that this junction is operating with spare capacity and therefore no highways improvement works are required. It is also considered that this junction is not relevant the delivery of Ordsall South and therefore the required is not justified.</p> <p>The capacity assessment has been undertaken based upon more up to date traffic counts than those used to inform the Infrastructure Delivery Plan.</p> <p>The Ordsall South development is incorporates demand management in the form of effective Travel Planning, bus service funding, and by meeting the everyday needs of residents on site through such provision as a new local centre.</p>

		It is therefore considered that this obligation is not justified.
Transport, highways	Contribution towards improvements at A620 Amcot Way	<p>The Transport Assessment undertaken to support development at Ordsall South concludes that this junction is operating with spare capacity and therefore no physical highways interventions are required. It is also considered that this junction is not relevant the delivery of Ordsall South and therefore the required is not justified.</p> <p>The development-generated impact at this location is minimal, and not severe, due to it being remote from the site and north of the Town Centre.</p> <p>The Ordsall South development is incorporates demand management in the form of effective Travel Planning, bus service funding, and by meeting the everyday needs of residents on site through such provision as a new local centre.</p> <p>It is therefore considered that this obligation is not justified.</p>
Transport, highways	Contribution towards improvements at A620 Babworth Road / Ordsall Road	Our Client is committed to mitigating the impact of Ordsall South from a highways perspective, and is proposing signalisation at this junction.
Transport, highways	Contribution towards improvements at A620 Moorgate	<p>The development-generated impact at this location is minimal, and not severe, due to it being remote from the site and north of the Town Centre.</p> <p>The Ordsall South development is incorporates demand management in the form of effective Travel Planning, bus service funding, and by meeting the everyday needs of residents on site through such provision as a new local centre.</p> <p>The Transport Assessment undertaken to support development at Ordsall South concludes that this junction is operating with spare capacity and therefore no physical highways interventions are required. It is also considered that this junction is not relevant the delivery of Ordsall South and therefore the required is not justified.</p> <p>It is therefore considered that this obligation is not justified.</p>
Transport, highways	Contribution to improve the A57 / Sandy Lane roundabout	This junction is not relevant to the delivery of Ordsall South and therefore the requirement is not justified.
Transport, highways	Contribution to improve the A57 / Claylands Ave / A60 / Shireoaks Common junction	This junction is not relevant to the delivery of Ordsall South and therefore the requirement is not justified.
Transport, highways	Contribution to improve the A57 / B6034 Netherton Road roundabout	This junction is not relevant to the delivery of Ordsall South and therefore the requirement is not justified.
Transport, highways	Contribution to improve the A57 / B6040 Mantonwood roundabout	This junction is not relevant to the delivery of Ordsall South and therefore the requirement is not justified.
Transport, highways	Contribution to improve the A638 Arlington Way / Grove Street	The Transport Assessment undertaken to support development at Ordsall South demonstrates that this junction is operating with spare capacity and therefore no highways improvement works are required.

		<p>The capacity assessment has been undertaken based upon more up to date traffic counts than those used to inform the Infrastructure Delivery Plan.</p> <p>The Ordsall South development is incorporates demand management in the form of effective Travel Planning, bus service funding, and by meeting the everyday needs of residents on site through such provision as a new local centre.</p> <p>It is therefore considered that this obligation is not justified.</p>
Transport, highways	Contribution to improve the A57 / A614 / A1 Five Lanes End roundabout	This junction is not relevant to the delivery of Ordsall South and therefore the requirement is not justified.
Transport, highways	Any additional improvement to highways / sustainable transport infrastructure required to bring forward the development	The development would need to accord with National and Local planning policy and delivery cost-effective mitigation measures for these additional improvements, should they pass the planning test.
Transport, highways	Contribution to Ordsall Old Village traffic management scheme	Our Client is committed to working with the Council and the highway authority to fund highway interventions along High Street to ensure any adverse highway impacts are mitigated. Mitigation would come forward in phases as the development site is built-out.
Transport, highways	Contribution to Eaton Village traffic management scheme	Our Client is committed to working with the Council and the highway authority to fund highway interventions within Eaton to ensure any adverse highway impacts are mitigated. Mitigation would come forward in phases as the development site is built-out.
Transport, public transport	Extended bus service through the site	Our client is committed to delivering an extended bus service to the Ordsall South site, serving residents via an internal loop road within the western parcel. Additional bus stops would also be provided on Ollerton Road to service residents of the eastern parcel
Transport, walking / cycling	Provision of a new footpath and marked cycle path along Ollerton Road frontage	Significant highways work is proposed at Ordsall South and the sustainable access points are proposed at Brecks Road, Ollerton Road – along the site frontage, and Lansdown Drive.
Transport, walking / cycling	Extension of public right of way through the site	Our Client is proposing to introduce new pedestrian and cycling access routes throughout the Ordsall South site, connecting to existing public rights of way in the wider area with the aim of integrating the development into its local context. Existing public rights of way will be enhanced and integrated into the Ordsall South scheme.
Utilities		
Utilities	Waste water management infrastructure and / or treatment upgrades	It is not considered justified for the Applicant at Ordsall South to cover all the costs relating to waste water management infrastructure of treatment upgrades.
Utilities	Water management infrastructure and / or treatment upgrades	It is not considered justified for the Applicant at Ordsall South to cover all the costs relating to waste water management infrastructure of treatment upgrades.
Utilities	All necessary improvements to allow connections to the electricity transmission network, likely to include on-site infrastructure and where	It is not considered justified for the Applicant at Ordsall South to cover all the costs relating to improvements to the electricity transmission network.

	relevant off-site system reinforcement	
Utilities	All necessary improvements to allow connections to the digital infrastructure network, likely to include on-site infrastructure and where relevant off-site system reinforcement	It is not considered justified for the Applicant at Ordsall South to cover all the costs relating to improvement to the digital infrastructure network.

It is therefore considered that a wide number of the planning obligations identified in the Infrastructure Delivery Plan cannot be justified and it should be amended accordingly.

- b) The Council submitted the Bassetlaw CIL Draft Charging Schedule (document reference: PUB-008) to the Planning Inspectorate on 18 July 2022 as part of the Local Plan examination. The Council is proposing a zero charge (£0/sqm) for CIL as part of the housing site allocations of 50 units or more as each site has significant infrastructure costs which are expected to be delivered through developer contributions. Once site specific costs have been taken into account, a CIL charge would make housing allocations unviable. This approach is supported by the Bassetlaw Whole Plan and Community Infrastructure Levy Viability Assessment (document reference: PUB-028).

Our Client supports the Council's approach to CIL in relation to site allocations.

- c) Our Client has no comment to make in response to this question.
d) Our Client has no comment to make in response to this question.
e) Our Client has no comment to make in response to this question.
f) Our Client has no comment to make in response to this question.

Q14.4 Is the plan sufficiently clear as to how its implementation will be monitored?

4. Our Client has no comment to make in response to this question.

Total Word Count (Excluding Questions): 2,848

APPENDIX 1 - Infrastructure Delivery Plan Site HS13 Ordsall South requirements

Site HS13: Ordsall South, Retford													
Infrastructure Type	Infrastructure Item	Location	Priority	Delivery Partner	Potential Funding mechanism (S106/other)	Joint project	Total cost	Funding received	Funding gap	Likely S106 contribution by 2038	Phasing	Notes	
											1-5 years	6-10 years	11-15 years
Education													
Education, primary	1.0 form entry primary school & 26 place early years facility	Ordsall South	Essential	NCC/Developer	S106	N/A	5,459,598	0	5,459,598	5,459,598	Y	Y	Provision of approximately 1.5ha site and financial contribution to provide 1 form entry (210 place) school and 26 place early years facility. Per site cost based on the contributions outlined in the NCC Developer Contributions Strategy. 890 dwellings = 187 primary school places @ £20,918 per place. Funding gap is due to the fact that not all housing will be delivered within plan period.
Health													
Healthcare, primary	New GP branch surgery - approx. 218 sqm GIA - and community healthcare facilities	Ordsall South	Essential	NHS England/CCG/Developer	S106	N/A	542,900	0	542,900	542,900	Y	Y	A new branch surgery and community healthcare facilities will be funded as part of the development. Initial cost derived in consultation with the Bassetlaw Clinical Commissioning Group
Healthcare, Bassetlaw Hospital	Non-specific contribution towards increasing acute healthcare capacity in the area	Bassetlaw Hospital, Worktop	Necessary	Bassetlaw & Doncaster NHS Trust/Developer	S106	N/A	61,410	0	61,410	61,410	Y	Y	Specific projects and timescales have not yet been identified by Trust. The HUDU model and standard NHS floor space requirements for primary health care facilities generate the amount of clinical space required per dwelling. Standard NHS costs generate a cost per dwelling based on the future expansion of the population. £69 per dwelling for acute care
Adult Social Care	Extra care housing on site	Ordsall South	Essential	NCC/Housing provider/Developer	S106	N/A	TBC	0	TBC	TBC	Y	Y	Costs unknown at this stage. To be agreed with NCC Adult Social Care.
Green Infrastructure, Sport and Open Space Improvements (inc. Community Facilities and Flood Management).													
Sports facilities	Provision of sports facilities on site	Ordsall South	Necessary	Developer	S106	N/A	TBC	0	TBC	TBC	Y	Y	Cost derived using Sport England's Facility Cost 2021, which is based on location of site and number of dwellings. Provision will be required in line with the latest versions of the Playing Pitch Strategy and Built Sports Facilities Strategy & dual use facilities provided at the primary school/community centre, so is subject to change.
Sports facilities	Contribution to enhancing Retford Golf Course	Retford Golf Course	Essential	Retford Golf Club/Developer	S106	N/A	TBC	0	TBC	TBC	Y	Y	Cost unknown at this stage
Community centre	Provision of a community centre on site	Ordsall South	Necessary	Developer	S106	N/A	TBC	0	TBC	TBC	Y	Y	Cost unknown at this stage
Green infrastructure	Provision of a country park on site	Ordsall South	Essential	Developer	Direct delivery by developer	N/A	TBC	0	TBC	N/A	Y	Y	Cost unknown at this stage
Green infrastructure	Provision of Suitable Alternative Natural Greenspace	Ordsall South	Essential	Developer	Direct delivery by developer	N/A	15,000	0	15,000	N/A	Y	Y	Costs based on good practice. Provision should be bespoke so is subject to change.
Green infrastructure	Provision of children's play space on site	Ordsall South	Necessary	Developer	Direct delivery by developer	N/A	260,000	0	260,000	N/A	Y	Y	Standard BDC costs of provision are £180,000 for a NEAP / LEAP & £80,000 for a MUGA.
Green infrastructure	Provision of multifunctional open space on site	Ordsall South	Necessary	Developer	Direct delivery by developer	N/A	320,000	0	320,000	N/A	Y	Y	Provision of 4ha open space on site. Based on BDC open space standards, Nov 2020. Standard BDC costs of £80,000.
Green infrastructure	Provision of allotment space	Ordsall South	Desirable	Developer	Direct delivery by developer	N/A	10,000	0	10,000	N/A	Y	Y	Provision of 10 plot allotment site on site. Standard BDC costs at £10,000 per site.
Green infrastructure	Provision of trees to contribute to carbon offsetting	Ordsall South	Desirable	Developer	Direct delivery by developer	N/A	89,000	0	89,000	N/A	Y	Y	Standard BDC cost of £100 per dwelling - to be delivered in the country park
Flood management	Provision of a strategic sustainable drainage scheme	Ordsall South	Essential	Developer	Direct delivery by developer	N/A	TBC	0	TBC	N/A	Y	Y	Project identification required through the Bassetlaw Strategic Flood Risk Assessment Level 2021. Technical specification and improvements to be agreed with Environment Agency & LLEA
Transport													
Transport, highways	Contribution towards improvements at A620 Babworth Road/B6420 Mansfield Road/A620 Straight Mile /Sutton Lane	Retford	Essential	NCC/Developer	S278/S106	Y	1,430,000	0	1,430,000	1,430,000	Y	Y	Project identification and indicative cost identified through the Retford Transport Assessment 2021 and Bassetlaw Transport Study 2022. Technical specification and improvements to be agreed with NCC Local Highways Authority. £110,000 is 4% of proportionality cost. £80,000 is 2% of proportionality cost. £10,000 is 1% of proportionality cost. £100,000 is 2% of proportionality cost. £90,000 is 2% of proportionality cost. £300,000 is 7% of proportionality cost.
Transport, highways	Contribution towards improvements at London Road/Whinney Moor Lane/Bracken Lane	Retford	Essential	NCC/Developer	S278/S106	Y	770,000	0	770,000	770,000	Y	Y	
Transport, highways	Contribution towards improvements at London Road/Whitehouses	Retford	Essential	NCC/Developer	S278/S106	Y	880,000	0	880,000	880,000	Y	Y	
Transport, highways	Contribution towards improvements at A638 Arlington Way / London Road	Retford	Essential	NCC/Developer	S278/S106	Y	220,000	0	220,000	220,000	Y	Y	
Transport, highways	Contribution towards improvements at A620 Amcot Way	Retford	Essential	NCC/Developer	S278/S106	Y	140,000	0	140,000	140,000	Y	Y	
Transport, highways	Contribution towards improvements at A620 Babworth Road/Ordsall Road	Retford	Essential	NCC/Developer	S278/S106	Y	760,000	0	760,000	760,000	Y	Y	
Transport, highways	Contribution towards improvements at A620 Moorate	Retford	Essential	NCC/Developer	S278/S106	Y	330,000	0	330,000	330,000	Y	Y	
Transport, highways	Contribution to improve the A57/Sandy Lane roundabout	Retford	Essential	NCC/Developer	S278/S106	Y	60,000	0	60,000	60,000	Y	Y	

