



National Highways

Bassetlaw Local Plan

Examination in Public

HEARING STATEMENT:

Matter 14 – Infrastructure and Delivery and Monitoring

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1 Introduction

National Highways, formerly Highways England, has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015, and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). It is our role to maintain the safe and efficient operation of the SRN whilst acting as a delivery partner to national economic growth.

The SRN is a critical national asset and as such National Highways works to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity. The SRN within and near to the district of Bassetlaw includes the A1 trunk road which bisects the plan area, and the M1 motorway approximately 8km to the west of the plan area.

This hearing statement has been prepared by National Highways in response to the Matters, Issues and Questions which have been identified by the Inspectors in relation to **Matter 14 – Infrastructure and Delivery and Monitoring**. We will be represented by Mrs Catherine Townend, Spatial Planner for the Nottinghamshire, Derbyshire, Lincolnshire and Rutland area, to aid discussion and provide clarification where required.

The questions identified for this matter focus on the issue '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' and our responses are provided under the relevant questions on the next page.

2 Response to Questions

(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?

14.1 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?

National Highways response to this question should be read in conjunction with our response to Matter 13 – Transport and Connectivity. Under Matter 13, we highlighted that we are still in the process of reviewing the transport evidence base supporting the Local Plan having only recently received the requested modelling files.

In light of the above, we cannot state with full confidence that Policy ST56 will be effective in enabling the delivery of future transport schemes, as with respect of the Strategic Road Network, the precise requirements are unconfirmed.

Policy ST56 does not include the safeguarding of any land necessary for the delivery of infrastructure improvements required for the A1, and it cannot be ruled out that additional land will not be required to deliver the most optimal solution. The policy does not appear to be sufficiently flexible to add any additional safeguarding.

Based on our current position with regards to the transport evidence base, it would be premature to conclude that the implications of Policy ST56 are viable as the full transport infrastructure requirements may still be unknown.

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- 14.3 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?*

Policy ST58 of the Local Plan sets out the Council's policy on the provision and delivery of infrastructure. National Highways notes that the mechanisms identified focus on the use of Section 106 contributions and CIL to deliver infrastructure. However, we would recommend the text be amended so the delivery mechanisms under the Highways Act 1980 through Section 278 Agreements are also included for the delivery of highway mitigation.

Section 106 contributions can be an effective way of securing developer investment towards necessary highways mitigation. However, securing the 'forward funding' of highways schemes in the timescales necessary to deliver growth cannot be guaranteed, and any shortfalls in funding could jeopardise the delivery of a scheme. As such, there is a risk to highway authorities in accepting a S106 contribution which

effectively allows the development to proceed without necessarily having the required mitigation in place.

At the planning application stage, National Highways would therefore need to assess (on a case-by-case basis) the risk of accepting a S106 contribution without a capacity improvement scheme in place. If this risk is deemed too great, this would ultimately delay the development coming forward.

A Section 278 agreement is an alternative method of delivering highway improvements which puts the developer (or consortium of developers) in control of the highway scheme delivery, and subsequently more in control of when their development can come forward. For schemes on the SRN, National Highways would oversee the delivery of the highways scheme via the S278 process, but it would be fully designed, funded, and delivered by the developer. The above process would be controlled through planning conditions rather than obligations.