

BASSETLAW LOCAL PLAN EXAMINATION

RESPONSE OF NOTTINGHAMSHIRE COUNTY COUNCIL TO THE INSPECTORS MATTERS, ISSUES AND QUESTIONS

Matter 14 Infrastructure and Delivery

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?

Response of Nottinghamshire County Council

Policy ST56: 1.a) and b) are considered necessary to provide adequate connectivity, to minimise congestion, and to adequately distribute traffic.

The wording of 1.b) could be improved to clarify that the link road should extend to the Scrooby Road Asda junction.

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

Response of Nottinghamshire County Council

Policy ST56 : 1.b) A further link open to all traffic between the development spine road and Scrooby Road in the vicinity of Aldi and the Primary Care Centre would assist access to Harworth town centre and access by public transport including the provision of a public transport hub.

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

Response of Nottinghamshire County Council

The County Council supports the principles of Policy ST58 in that the Council will work with infrastructure partners to identify necessary infrastructure projects and will require developers to contribute towards infrastructure delivery associated with their development using a combination of conditions, obligations, and the CIL. The policy is supplemented by an Infrastructure Delivery Plan (July 2022) which refers to the provision of various transport and education infrastructure projects as recommended by the County Council and identified through the Bassetlaw Transport Study (BTS).

The County Council notes the intention to apply a zero CIL charge to Local Plan allocations of 50 dwellings and above owing to matters of viability on larger sites. This will have a serious impact on the level of CIL which can be accrued over the plan period.

In the absence of CIL, the IDP includes an allowance for major developments to contribute towards education and transport schemes through a planning obligation (S106), which is welcomed by the County Council. However, the full cost of these schemes will not be met through the indicative S106 obligations in the IDP, and it is uncertain whether the CIL receipts from other development would meet the funding shortfalls. To illustrate, the sites HS1 (Peaks Hill Farm) and SEM001 (Apleyhead) are required to make a contribution equivalent to 59% (28% and 31% respectively) of the costs involved in upgrading the A60/A619 Roundabout, which would leave a shortfall of around £1.34m based on the indicative cost in Appendix G of the BTS (£3.25m). The IDP should consider how the residual costs of such schemes will be met, including reference to other significant local plan sites, such as HS3 and HS4, which are seemingly not required to contribute towards highway schemes through S106 or CIL. The County Council notes that the IDP is intended to be updated annually and welcomes the opportunity to review the requirements through the proposed Improvement Plan for the A57.

The County Council also has reservations about the practicality of using S106 as a mechanism to secure contributions to mitigate the cumulative impacts of development; it cannot necessarily be assumed that strategic highway projects such as the A60/A619 roundabout scheme (which would usually be funded through CIL and is listed in the Council's Infrastructure Funding Statement as a CIL funded project), can instead be delivered through S106 obligations. This is discussed under part b) below.

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?

Response of Nottinghamshire County Council

The County Council recognises that larger allocations are expected to provide significant onsite infrastructure and that local infrastructure, such as education facilities, can be delivered effectively through planning obligations (S106) in lieu of, or in addition to, CIL.

However, planning obligations must be directly related to the given development and be necessary to make that development acceptable in planning terms. The County Council remains concerned that improvements to strategic highway infrastructure, which are necessary because of cumulative growth across the district as a whole, will not be achievable without CIL.

The IDP suggests that contributions through s106 to the various junctions on the A57 corridor will be made from allocations at Trinity Farm Retford, Ordsall South, Apleyhead and Peaks Hill Farm which is welcomed, but this is subject to negotiation with the developers. There is currently no assured mechanism to fund the improvements required for the A57 Worksop bypass. Notwithstanding the inclusion of the recommended highway mitigation from the BTS in the IDP, it is uncertain whether such projects can practicably be delivered using planning obligations given the regulations controlling their application.

The County Council wishes to see a mechanism established to enable proportionate developer contributions from the largest allocations in and around Worksop towards strategic highway improvements focussing on the priority interventions along the A57 corridor.

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

Response of Nottinghamshire County Council

The County Council supports this approach to development viability but would welcome inclusion of further information on how this would be implemented in practice. Nevertheless, where up-to-date plan policies, including the Infrastructure Delivery Plan, have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable and a review mechanism should not be necessary.

d) Is the policy sufficiently flexible?

Response of Nottinghamshire County Council

Paragraph 12.3.9 states that the Infrastructure Delivery Plan (IDP) is a living document and that when applying the policies in this Local Plan, the Council will be guided by the most up to date IDP and advice from infrastructure partners. As a key infrastructure partner, the County Council endorses this flexibility; the IDP should not prejudice latest evidence of need. Paragraph 12.3.14 states that developer contributions may be sought retrospectively when the infrastructure has been delivered early within the plan period; this flexibility is necessary and welcomed by the County Council.

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

Response of Nottinghamshire County Council

Paragraph 12.3.16 recognises that CIL and 'developer contributions' may be pooled towards single infrastructure projects. It could be clarified that that this may involve combining planning obligations (i.e., funds secured through S106) with CIL. It is likely that NCC will need to utilise the CIL to supplement S106 receipts, especially if CIL-exemption is only to apply to the largest developments. The required education/transport infrastructure in the IDP cannot be delivered by CIL-exempt sites alone.