



Bassetlaw
DISTRICT COUNCIL
— North Nottinghamshire —

Planning Obligations Supplementary Planning Document

Consultation Statement

November 2025

<https://www.bassetlaw.gov.uk/>



1. Introduction

- 1.1 This document has been prepared in order to demonstrate how the Council has followed the requirements of [The Town and Country Planning \(Local Planning\) \(England\) Regulations 2012](#) in preparing the Council's Planning Obligations Supplementary Planning Document (SPD).
- 1.2 SPDs were introduced as part of the Planning and Compulsory Purchase Act 2004. The [Planning Policy Guidance](#) is clear that an SPD needs to add further detail to policies in the adopted Bassetlaw Local Plan (May 2024) and that they can be used to provide further guidance for development on particular issues. They are a material consideration for determining planning applications, albeit they do not form part of the development plan.
- 1.3 The Planning Obligations SPD provides further guidance for applicants and developers on how planning applications can address and satisfy requirements set out in the following Local Plan Policies:
- Policy ST39: Trees, Woodlands and Hedgerows
 - Policy ST44: Delivering Quality, Accessible Open Space
 - Policy ST48: Reducing Carbon Emissions, Climate Change Mitigation and Adaptation
 - Policy ST52: Transport Infrastructure
 - Policy ST56: Provision and Delivery of Infrastructure
- 1.4 The SPD also assists local interpretation of relevant [National Planning Policy Framework](#) policy.

2. Local Planning Regulations and Habitats Regulations Assessment / Strategic Environmental Assessment Screenings

- 2.1 This consultation has been carried out in accordance with [The Town and Country Planning \(Local Planning\) \(England\) Regulations 2012](#) (as amended). In line with Regulation 12(a), before adopting an SPD, a Local Planning Authority must prepare a statement setting out who was consulted when preparing the SPD, a summary of the main issues raised and how these issues have been addressed. This document is the Consultation Statement for the SPD as required by Regulation 12(a).
- 2.2 Regulation 12(b) requires that the draft SPD must be published for a minimum of 4 weeks and that the Council specify the date by which representations must be made and the address to which they must be sent.
- 2.3 Regulation 35 requires the documents must be made available to the public at the principal office of the Council and other places the Council consider appropriate as well as publishing on the Council's website.
- 2.4 The Government's national [Planning Policy Guidance](#) states "SPDs do not require a sustainability appraisal but may in exceptional circumstances require a strategic environmental assessment if they are likely to have significant environmental effects that have not already been assessed during the preparation of the relevant strategic policies."
- 2.5 Every stage of the Bassetlaw [Local Plan's](#) preparation (from initial scoping through to Adoption) were subject to a comprehensive sustainability appraisal incorporating

strategic environmental assessment with a number of changes to policies made to address each individual report's recommendations. The [Bassetlaw Local Plan Habitats Regulations Assessment \(2023\)](#) concluded that the policies in the Plan (either alone or in combination) would not impact on any of the European Sites either within, or in close proximity, to the Bassetlaw District.

- 2.6 As set out above, the SPD provides further guidance and detail to the relevant adopted [Local Plan](#) policies, and does not result in any significantly different effects over and above those already considered and assessed through the preparation of the recently adopted Local Plan and the relevant policies (listed above) which are the strategic policies that the SPD 'hangs off'.
- 2.7 Nevertheless, and for completeness, an SEA Screening Assessment was undertaken prior to consultation with Natural England, Historic England and the Environment Agency. All responded and confirmed that an SEA was not required.

3. Consultation Details

- 3.1 Consultation on the draft SPD took place for a period of seven weeks from 23 July 2025 to 5pm on 11 September 2025. Consultation was in line with the Council's [Statement of Community Involvement](#) and involved contacting via email/letter all persons and organisations who had signed up to the Council's Planning Policy database.
- 3.2 The draft SPD and response form were made available on the Council's website and a hard copy was available to view during normal office hours at the Customer Service Desk at Bassetlaw District Council: Queen's Buildings, Potter Street, Worksop, S80 2AH, at Retford Town Hall and Harworth & Bircotes Town Hall, and all libraries in the district.
- 3.3 Consultation comments were invited by email to planningpolicy@bassetlaw.gov.uk, via an online form on the Council's website: www.bassetlaw.gov.uk, or by post via: Planning Policy, Queen's Buildings, Potter Street, Worksop, S80 2AH.

4. Who was Consulted?

- 4.1 In accordance with Regulation 12, interested parties, including everyone on the Planning Policy database, and those listed in Appendix 2 of the [Statement of Community Involvement](#), were notified of the consultation. This includes a variety of stakeholders, such as town and parish councils, residents, landowners, developers, statutory consultees and other local planning authorities.
- 4.2 At the close of the consultation, the Council had received responses from 11 organisations.

5. What Were the Main Issues Raised During Consultation?

5.1 [Appendix 1](#) sets out in more detail a summary of the issues that were raised and how they have been addressed; as well as a limited number of changes to the SPD, where considered appropriate.

5.2 The main issues raised are as follows:

- Nottinghamshire County Council Early Years and Family Hubs stated that workplace childcare provision could be an option for larger employers looking to develop in the area and should be considered by the SPD.
- Sport England state that the SPD does not provide any guidance about securing indoor or outdoor sport facilities to meet needs arising from new development and highlight that their tools can be used to determine appropriate contributions based through use of their Playing Pitch Calculator and Sports Facilities Calculator.
- Historic England requested that heritage be addressed even if on a case by case basis.
- Nottinghamshire County Council (NCC) requested that the full remit of their Developer Contributions Strategy (DCS) together with the link to the DCS webpage is referenced throughout the SPD.
- NCC requested confirmation that where infrastructure is sought for County Council services, that it will be party to the negotiation and have responsibility for enforcement. It also sought amendments to clarify the approach taken to S278 agreements.
- NCC requested clarification that a separate S106 monitoring fee and legal fee would be charged on obligations payable to NCC.
- NCC supported Section 8 Cumulative Highways Impact.
- Stantec on behalf of Howard (Retford) Limited supported the approach taken to cumulative highways impact in the SPD.
- Stantec on behalf of Caddick Development stated that the approach taken to cumulative highways impact did not reflect the approach taken in the Local Plan, the Local Plan Inspector's Report, NCC's Developer Contributions Strategy and was not consistent with national policy/guidance because it is not supported by evidence, sets a formulaic approach to developer contributions and increases the cost burden of development.
- Stantec on behalf of Caddick Development stated that the approach taken to Employment and Skills Plans introduces obligations that go beyond what would be expected. The scope, level of detail, and monitoring requirements are disproportionate and raise concerns about deliverability, enforceability, and alignment with national guidance.
- Stantec on behalf of Caddick Development stated that the SPD lacks transparency in its approach to calculating the cost of tree planting. The figure of £100 per tree lacks justification, there is no benchmarking or consultation with delivery partners. The SPD does not clarify how financial contributions will be spent, monitored, or reported and there is no mechanism for ensuring that contributions are used in proximity to the development.

Appendix 1 – Summary of Consultation Responses and Changes Made to the SPD

Name/ Organisation	Content Summary	BDC Response	SPD Amendments
<p>Nottinghamshire County Council Early Years and Family Hubs</p>	<p>Hopeful that the growth of business in Bassetlaw will consider the need for childcare to support parents to gain employment as part of the evolving workforce for the area. Sufficient childcare is already a concern in this area and further growth in industry will continue to demand further childcare places. DWP colleagues also state childcare is identified as an issue when clients are looking for work and this can only increase if not considered as part of the growth plan. Workplace childcare provision could be an option for larger employers looking to develop in the area.</p>	<p>The County Council's Developer Contributions SPD says: 'NCC has a statutory duty to ensure a sufficiency of pre-school places for children aged three and four and there is also a duty to ensure places for certain two year olds. The Council does not currently have a protocol for seeking contributions towards expanding existing early years facilities and the majority of extra demand will be met through private facilities. However, where a new school is being commissioned as a consequence of new development, it is County Council policy that a suitably-sized pre-school is included within the provision; further information on this is referred to under provision of new schools [within their SPD].'</p> <p>The Local Plan was undertaken on this basis and childcare was not costed and assessed through the Local Plan process. At this stage BDC cannot introduce a requirement for childcare from new employment development. This is considered to be new planning policy and an additional cost to development and can only be considered through the Local Plan process.</p>	<p>No change required.</p>
<p>Sport England</p>	<p>New residential development will generate demand for sporting provision. The existing provision within an area may not be able to accommodate this increased demand without exacerbating existing and/or predicted future deficiencies. Consider that new developments should contribute towards meeting the demand that they generate through the provision of on-site facilities and/or providing additional capacity off-site.</p> <p>Aware that the Council operates a Community Infrastructure Levy, however sports facilities are not covered by the Strategic Infrastructure List, and as such can be secured via a S106 agreement.</p> <p>Note that the SPD does not provide any further guidance to Policy ST45 of the Local Plan on the approach to securing indoor or outdoor sport facilities to meet needs arising from new development. If the Council is seeking to secure obligations for sports provision through S106 Agreement, Sport England has tools that could assist the Council in determining an appropriate level of contribution based on the needs generated from a development. Sport England's Playing Pitch Calculator can be used to estimate demand generated for outdoor sports provision and Sport England's Sports Facilities Calculator can help provide an indication of the likely demand that will be generated by a development for built sports facilities, such as swimming pools and sports halls.</p> <p>Together with the Council's Playing Pitch Strategy and Build Facilities Strategy they can help inform the best way to meet the identified need. Sport England's CIL and Planning Obligations Advice Note provides further advice on meeting the need for sports provision generated from new development. In addition, Sport England</p>	<p>Comments noted.</p> <p>The SPD provides more information on commonly sought planning obligations. The Playing Pitch Strategy and Built Sports Facility Strategy state that only larger developments of 600 or more homes are likely to generate demand for new provision.</p> <p>Sports provision for relevant sites is being considered using the approach and tools identified by Sport England's representation.</p> <p>Given the likely number and scale of other housing schemes in the district over the plan period it is appropriate for contributions for sport, where considered necessary to be assessed using the process Sport England identified on a site by site basis.</p>	<p>No change required.</p>

	calculates facility costs quarterly using estimates of what it typically costs to build sport facilities, including fees and external work at https://www.sportengland.org/guidance-and-support/facilities-and-planning/design-and-cost-guidance/facility-cost-guidance .		
Historic England	It would be helpful if heritage could be referenced, such as on a case-by-case basis.	The SPD only covers commonly sought obligations. If heritage was referenced then other case by case planning obligations would also need to be covered.	No change required.
Nottinghamshire County Council	<p>Welcome the reference and link to the County Council Developer Contributions Strategy (DCS) at Paragraph 1.9 and paragraph 5.3. This paragraph could be expanded to confirm the full remit of the NCC's DCS as follows (bold text represents suggested text): "<i>With the exception of cumulative highways impact, this draft SPD does not provide guidance for infrastructure that is within Nottinghamshire County Council's remit such as education, transport, libraries and waste management</i>".</p> <p>It is also suggested that the link to the DCS pdf document is replaced with a link to the DCS webpage so that the link in the SPD is not broken in the event that the DCS is updated and republished: https://www.nottinghamshire.gov.uk/planning-and-environment/general-planning/developer-contributions-strategy</p> <p>Paragraph 3.5 - welcome the confirmation that where infrastructure is sought for County Council services, that it will be party to the negotiation and have responsibility for enforcement. It could also be added, for clarity, that NCC would be a party to the agreement (as per current practice).</p> <p>NCC endorses the ten year clawback period referred to a Paragraph 3.7. Where payments are phased, NCC would typically expect the clawback period to apply from the date that the final instalment was received, to minimise the need to monitor deadlines for individual payments. It would be helpful to confirm this in the SPD.</p> <p>Paragraph 3.8 - NCC notes that obligations may be modified at any time by deed of variation and the justification for such requests would need to be determined by the planning officer. Clarity could be added with regards to the process for requesting a deed of variation. Section 106A of the TCPA states that if the agreement is five or more years old, applicants can apply directly to the LPA to have it modified through a formal application, which would be published by the LPA and subject to consultation period.</p> <p>Paragraph 3.12 - NCC welcomes reference to s278 highway agreements and agrees that such agreements will be used to deliver off-site works required to mitigate the impact of a development, as required by planning condition. This is NCC's preferred route to secure delivery of highway infrastructure, as there is no financial risk to the council. The following text (bold) could be added for clarity: "<i>A condition would be attached to the planning permission requiring the works to be agreed and carried out by a specified trigger point</i>". This ensures any condition would be enforceable.</p> <p>Paragraph 4.20 - The developer should be bound in each s106 agreement to notify the Council <i>and County Council</i> (where appropriate) of certain trigger point notifications. It is important that such notifications are received by NCC as it will be responsible for monitoring and collecting contributions for its services.</p>	<p>For completeness, it is appropriate to include the full remit of NCC's DCS.</p> <p>For clarity, it is appropriate to provide the link to the DCS webpage.</p> <p>For clarity, reference will be made to where NCC is party to the agreement.</p> <p>For clarity, reference will be made to the clawback period applying from the date that the final instalment was received.</p> <p>For clarity, reference will be made to the process applicable for agreements of five or more years old.</p> <p>For clarity, reference will be made to the use of planning conditions and that works should be undertaken by a specified trigger point.</p> <p>For clarity reference will be added to the County Council (where appropriate).</p>	<p>Change made to paragraph 1.9 and also to paragraph 5.3 as requested.</p> <p>Change last sentence of paragraph 1.9, second sentence of paragraph 5.3 and first sentence of paragraph 8.1 to reference the DCS webpage: Developer Contributions Strategy Nottinghamshire County Council</p> <p>Add to paragraph 3.5: Where infrastructure is sought and secured that will be administered by Nottinghamshire County Council, they will be party to the negotiation of obligations and have responsibility for their enforcement.</p> <p>Change paragraph 3.7 to include: Where payments are phased, the clawback period will apply from the date that the final instalment was received, to minimise the need to monitor deadlines for individual payments.</p> <p>Change paragraph 3.8 to include: If the agreement is five or more years old, applicants can apply directly to the LPA to have it modified through a formal application, which would be published by the LPA and subject to consultation.</p> <p>Add new last sentence to paragraph 3.12: A condition would be attached to the planning permission requiring the works to be agreed and carried out by a specified trigger point.</p> <p>Change second sentence of paragraph 4.20 to: The developer is bound in each s106 agreement to notify the Council and County Council (where appropriate) of certain trigger</p>

	<p>Paragraph 4.25/4.26 - should be clarified that a separate monitoring fee would be charged on obligations payable to NCC as set out in its DCS. Similarly, applicants will be expected to cover the County Council's legal fees for the processing, preparation and conclusion of legal agreements.</p> <p>It should be noted that as with the infrastructure listed at 5.2., the items covered by the NCC DCS have also been considered and costed for the Local Plan and are expected to be sought in this Plan period (with the exception of waste infrastructure where no deficits in capacity were identified within Bassetlaw). The current drafting could imply that NCC matters were not considered and costed for the Local Plan.</p> <p>NCC supports Section 8 Cumulative Highways Impact. Clarifies how pooled contributions will be sought to mitigate the cumulative impact of strategic development sites in accordance with the local plan evidence base and will ensure such contributions will be secured, as needed. This complements NCC's DCS and the relevant policies of the Bassetlaw Local Plan.</p>	<p>Reference will be added to ensure it is clear that NCC monitoring fees/legal fees are additional.</p> <p>It should be noted that whilst libraries were considered for the Local Plan, they were not costed in the Whole Plan Viability Assessment. As such, there is no expectation that libraries provision will be sought in this Plan period.</p> <p>Support noted and welcome.</p>	<p>points, including commencement of the development. Add 'County Council monitoring fees' to fourth sentence of paragraph 4.25. Add '(and County Council's where appropriate)' to first sentence of paragraph 4.26.</p> <p>No change required.</p> <p>No change required.</p>
Stantec on behalf of Howard (Retford) Limited	<p>The draft Planning Obligations Supplementary Planning Document (SPD) sets out indicative figures for prospective highways obligations. These are intended to form the basis for cumulative highways contributions unless a site-specific Transport Assessment demonstrates otherwise. Support this approach and submission sets out the proposed position on highways obligations at Ordsall South, as informed by the Transport Assessment and developed in collaboration with highways officers.</p>	<p>Support noted and welcome.</p>	<p>No change required.</p>
NHS Nottingham and Nottinghamshire Integrated Care Board	<p>Support and in agreement with Section 6 of the draft SPD, which outlines the approach to securing Section 106 planning obligations for Primary Health care provision. Welcome the inclusion of a clear methodology for calculating health contributions and the recognition of the role that planning obligations play in supporting the sustainability of Primary Care services across Bassetlaw. The approach aligns with our strategic priorities and will help ensure that the impact of new housing development on GP services is appropriately mitigated.</p>	<p>Support noted and welcome.</p>	<p>No change required.</p>
National Highways	<p>No comments</p>	-	-
The Coal Authority	<p>No comments</p>	-	-
EA	<p>No comments</p>	-	-
Natural England	<p>No comments</p>	-	-
Stantec on behalf of Caddick Development	<p>Cumulative highways Object to the principle of seeking to secure specific financial contributions through the proposed SPD. The proposed approach is entirely contrary to both the adopted Local Plan and established national policy and guidance. The only reasonable remedy, to prevent the SPD being at risk of successful legal challenge, is to remove the proposed highways contributions from the SPD.</p> <p>National policy/guidance are clear that SPDs must be supported by evidence, be related to adopted plan policies and, critically, must not set a formulaic approach to setting developer contributions nor increase the cost burden of development. The highways contributions fail each of these basic tests.</p> <p>The SPD seeks to introduce new policy with regard to highways contributions and the proposed approach is contrary to the adopted local plan. It would also unnecessarily add to financial burdens by seeking to impose planning obligation requirements which themselves would not meet statutory tests. The SPD seeks to introduce a formulaic and fixed approach to contributions and this approach was</p>	<p>The Planning Obligations SPD aims to provide more guidance about how identified Local Policies including Policy ST52 are intended to be applied. For clarity, further information will be added to the SPD to set out the applicable policy framework, Local Plan evidence and how that relates to site specific Transport Assessments/Travel Plans.</p> <p>It will also be made explicit that the costs set out in the tables included in the SPD are indicative and that financial contributions may be required where evidenced through a site-specific Transport Assessment/Travel Plan. the overarching policy approach as the justification for the inclusion of the section.</p>	<p>Change paragraphs 8.4-8.6 to:</p> <p>8.4 Policy ST52 of the Local Plan states that consideration should be given to the cumulative impact of relevant development both in Bassetlaw and within neighbouring authorities, and how this links to planned infrastructure improvements. This should take into account the Infrastructure Delivery Plan 2023 and Local Plan Transport Assessments (Bassetlaw Transport Study, January 2022 and the Retford Transport Assessment, May 2022 at www.bassetlaw.gov.uk), which, where relevant, will inform the scoping of the site-specific Transport Assessment and Travel Plan.</p>

	<p>not tested through the local plan examination. The Highways Contributions element of the SPD fail these basic tests, is unsound and not appropriate. It departs significantly from the established policy framework in the adopted Local Plan, as well as the Inspector's Report, and the supporting evidence base. The Draft SPD states:</p> <p><i>8.3 The Local Plan recognises that by the end of the Plan period (2038) several junctions along the A57 around Worksop and several junctions within Retford are anticipated to be above capacity as a result of the cumulative impact from more than one Local Plan site allocation.</i></p> <p><i>8.4 As a result, the Council requires the following site allocations to make a proportionate financial contribution via S106 agreement, that may be pooled, towards improving these junctions. The contribution per site/per junction is a proportional split based on the number of development trips from each site allocation passing through each junction at peak hours as a proportion of the total Local Plan allocation trips from all sites.</i></p> <p><i>8.5 The split and supporting evidence is set out in the Bassetlaw Transport Study, January 2022 and the Retford Transport Assessment, May 2022... Both documents form part of the Local Plan evidence base. This evidence will provide the basis for cumulative highways contributions unless a site's Transport Assessment indicates otherwise. Any localised highways mitigation will be subject to separate mitigation.</i></p> <p>However, this fundamentally misinterpret and incorrectly seek to apply local plan evidence which was accepted to be indicative. They also disregard the position established in the adopted local plan.</p> <p>The Local Plan (along with supporting evidence and Infrastructure Delivery Plan) establish that highways mitigation should be assessed through site-specific Transport Assessments, and this approach was endorsed by the Local Plan Inspector. Critically, following Caddick's evidence to the Local Plan hearings regarding the need for mitigation to be considered at planning application stage, the Inspector's Report (paragraph 199) concluded:</p> <p><i>The policy contains a number of criteria relating to transport and connectivity. It seeks to secure a scheme which takes into account the strategic transport impacts of development and secure appropriate mitigation. As drafted the policy refers to the transport impacts identified in the Bassetlaw Transport Study [TI-017]. However, the policy should make clear that the transport impacts of development, and any required mitigation will be identified through a detailed transport assessment and travel plan to form part of any site-specific scheme. MM6.12 and MM6.14g make these requirements clear. MM6.14h also makes clear the need for both safe access and egress. As drafted the policy also refers specifically to financial contributions to two junctions on the A57. However, mitigation may also be required to other highways infrastructure in the locality of the site and could also be achieved by on-site works. MM6.14i, MM6.14j, and MM6.14k, address these matters. All these changes are necessary in order for the policy to be effective.</i></p> <p>Policy ST6 was modified accordingly: '(i)... all necessary transport infrastructure improvements through direct mitigation or contributions to new and improved infrastructure, as evidenced by a Transport Assessment(s) and Travel Plan(s) for the proposal...'</p>	<p>By doing so, the SPD is clearly linked to adopted plan policies and does not set out a formulaic approach to developer contributions nor introduce additional costs to development.</p>	<p>8.5 The Local Plan Transport Assessments indicated that the following site allocations may be required to make a proportionate financial contribution via S106 agreement, that may be pooled, towards junction improvements. Where a site-specific Transport Assessment and Travel Plan confirms that a financial contribution per site/per junction is necessary, it will be a proportional split based on the number of development trips from relevant each site allocation passing through each junction at peak hours as a proportion of the total Local Plan allocation trips from all sites.</p> <p>8.6 As a guide, the tables below taken from the Local Plan Transport Assessments, provide an indicative cost relating to possible highways schemes. As explained by Policy ST52 these will inform each site-specific Transport Assessments/Travel Plan.</p>
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	<p>This is supported by the explanatory text. Paragraph 6.2.7 recognises the BTS identifies high level potential impacts but that the exact mitigation would be confirmed at planning application stage.</p> <p>The position set out in the IR and Local Plan are clear that infrastructure requirement should be assessed in detail as part of site specific and planning application specific transport assessments. Despite this, the draft SPD disregards the adopted plan and seeks to impose highways mitigation without any further evidence or justification. The SPD is entirely contrary to the adopted local plan.</p> <p>Bassetlaw Transport Study (2022) concludes: <i>12.4.2 An assessment of junctions located on these highways links has also been undertaken and possible mitigation measures identified where operational impacts are forecast. Whilst any mitigation at this stage can be treated only as indicative, outline sketches and cost estimates have been prepared in support of the interventions identified...</i> <i>12.5.1 Possible highway infrastructure improvements have been identified in a preliminary form, together with indicative costs. These are summarised in Appendix G.</i> <i>12.5.2 Strategic transport improvements have been described in outline only at this stage and more detailed assessments will be required to identify definitive improvement proposals and delivery priorities. Estimates of scheme costs have been provided and give an approximate 'order of cost' only. Therefore, no reliance in terms of preferred scheme selection should be placed on the cost estimates presented in this report...</i> <i>12.5.5 Detailed Transport Assessments and Travel Plans will be required in support of planning applications for all major developments, and these should identify site access arrangements, on-site transport infrastructure requirements and off-site transport measures/infrastructure to mitigate their respective transport impacts.</i></p> <p>The precise extent of mitigation will be determined through detailed Transport Assessments and Travel Plans at the planning application stage. At no stage does the evidence base conclude the assessed extent of mitigation will be required or that the mitigation will be in the indicative form shown within the BTS. However, the SPD seeks to introduce pooled financial contributions for cumulative highways impacts based on 2022 figures and indicative junction improvements from the Transport Study. However, this study has been superseded by more recent work.</p> <p>The IDP described as a 'living document' (IDP paragraph 3.10), has not been updated since 2023 and does not reflect the most recent transport evidence, modelling, or site-specific assessments that will inform mitigation at the application stage. Moreover, IDP paragraph 7.3 confirms infrastructure requirements and costs are indicative rather than prescriptive and are expected to evolve over time. IDP paragraph 4.0.1 clarifies that infrastructure information in the IDP is based on the best available evidence at the time and that infrastructure requirements will be amended as further details become available through the planning application process.</p> <p>This reinforces that mitigation measures and associated contributions should be determined through up-to-date, site-specific Transport Assessments, not fixed figures from outdated strategic modelling. The SPD approach to formalise pooled contributions based on static assumptions is inconsistent with the flexible, evidence-led approach endorsed throughout the Local Plan and associated evidence base.</p>	<p>The IDP 2023 does not describe itself as a living document. It is intended to be a stand alone document to inform the production of the Local Plan.</p>	<p>No change required.</p>
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	<p>This approach not only provides the most accurate basis for identifying necessary highways mitigation but also remains fully consistent with the wider requirements of Policies ST52 and ST56 of the Local Plan, which emphasise the need for infrastructure delivery to be informed by site-specific assessments and proportionate to the scale and nature of development.</p> <p>Fixed pooled contributions based on 2022 figures are not justified and the SPD approach lacks the necessary flexibility and evidential robustness. Mitigation should be tailored to the actual impacts of development, assessed using the most up-to-date data and modelling available at the time of application, in line with Policies ST6, ST52, ST56, and ST58 of the Local Plan. Proceeding with the SPD on this basis would be potentially unlawful.</p> <p>Nottinghamshire County Council (NCC), as the Local Highways Authority, has recently adopted a Developer Contributions Strategy (April 2024), which outlines its approach to securing planning obligations for transport infrastructure. The Strategy confirms that highways contributions are assessed on a site-by-site basis, and that pooled financial contributions are only sought in relation to larger-scale strategic transportation schemes identified through the Local Plan process and the associated IDP (see para 5.7).</p> <p>The NCC Developer Contributions Strategy does not reference the A57 corridor, nor does it identify any specific pooled contributions mechanism for Worksop or Bassetlaw. Instead, it emphasises that:</p> <ul style="list-style-type: none"> • Contributions must be directly related to the development and proportionate to its impact (paragraph 5.2). • The majority of highways improvements are secured via Section 278 agreements or planning conditions (paragraph 5.5). • Strategic schemes eligible for pooling must be clearly identified in the Local Plan and IDP (paragraph 5.7). <p>If there were a requirement for the contributions proposed within Bassetlaw it is reasonable to conclude that such mitigation would have been identified (even in broad terms) within the NCC SPD.</p> <p>The more recent, fine grain, and development specific evidence presented in the planning application at Apleyhead demonstrates that no significant offsite highways works are required. This has been agreed with Nottinghamshire County Council and National Highways.</p>	<p>Paragraph 5.7 of NCC's SPD says: 'Pooled financial contributions towards highway capacity enhancements will <i>usually</i> only be sought in relation to larger scale strategic transportation schemes, which are necessary to mitigate the cumulative impact of more than one development and where it is not appropriate for any one development to deliver the infrastructure in its entirety. These enhancements will <i>usually</i> have been identified through the Local Plan process and would appear in the associated Infrastructure Delivery Plan. In such circumstances, the County Council will seek a proportionate contribution through a S106 Agreement and will be responsible for delivering the identified infrastructure. <i>[Emphasis added]</i></p> <p>It does not say that pooled contributions will only be sought for larger scale strategic transportation schemes. Neither does it say that eligible schemes must be clearly identified in a Local Plan. As such there is no conflict between the SPDs.</p> <p>NCC's Developer Contributions SPD predates the adopted Local Plan. It is therefore reasonable for that SPD not to make reference to the A57 corridor.</p> <p>It is worth noting that at then time of writing the planning application for Apleyhead is pending consideration.</p>	<p>No change required.</p> <p>No change required.</p> <p>No change required.</p> <p>No change required.</p>
<p>Stantec on behalf of Caddick Development</p>	<p>Employment and Skills</p> <p>Introduces obligations that go significantly beyond what would typically be expected for such a document. The scope, level of detail, and monitoring requirements are disproportionate and raise concerns about deliverability, enforceability, and alignment with national guidance. The SPD, as drafted, could deter inward investment which would have the unintended consequence of delaying development and reducing overall job numbers.</p> <p>Whilst the approach of seeking to secure local employment and realising local economic benefits is understandable and laudable it is also essential the SPD has flexibility to respond to changing circumstances. For example, a project such as</p>		

	<p>Apleyhead will create a very significant number of construction and operational stage roles and it is likely there will be insufficient existing local labour to fill each and every job role. This jobs gap will exist even with new training, apprenticeships, and local education opportunities for the local workforce.</p> <p>Construction Phase Employment and Skills Plan The SPD refers to the Construction Industry Training Board (CITB) 'Project Based Approach' as the basis for Employment and Skills Plans. However, this framework has been superseded, and its continued use raises questions about the validity of the SPD methodology.</p> <p>As drafted, the SPD would require developers to identify individual subcontractors, estimate the number of roles each could provide, disaggregate those roles by trade, and advertise each role locally for a minimum of two weeks. It also proposes quarterly monitoring reports throughout the construction phase, including qualitative and quantitative updates, recruitment evidence, and engagement records. This frequency of reporting is excessive and not proportionate to the scale or nature of most developments.</p> <p>The SPD states that Council officers or nominated partners will require site access at the construction stage to undertake reviews, audits, and progress meetings. This raises concerns about disruption, confidentiality, and the practicalities of implementation. It is not necessary for the SPD to include such level of detail.</p> <p>The SPD sets out a series of benchmarks and targets (page 25), including job creation, apprenticeship starts and completions, training hours, and outreach events. It is unclear how these figures have been derived nor how the 'Bands' have been set. No supporting evidence is provided to justify the scale or relevance of these targets to different types of development.</p> <p>A one-off monitoring contribution is also required to support the Council monitoring such plans. The scope and cost of monitoring are dictated by the SPD itself, meaning the more detailed approach proposed in the SPD is creating unnecessary and unreasonable cost burdens for development. This approach also lacks transparency and risks undermining the principle of proportionality in planning obligations as per NPPF paragraph 58.</p>	<p>Reference will be made to the CITB's Client-Based Approach, which is the up to date framework promoted by the CITB for the construction industry.</p> <p>It is important that the Council monitors the effectiveness of employment and skills plans to ensure they achieve the identified aims. However, a balance needs to be achieved between monitoring and delivery. As such, the frequency of monitoring reports will be reduced to ensure they are not burdensome.</p> <p>It is important that Council officers/partners are able to access sites to undertake reviews, audits and progress meetings. However, this should not lead to disruption of construction work on site. As such the SPD will be amended to ensure access is by agreement.</p> <p>For clarity, additional information will be provided to explain the background for the benchmarks/targets and to by way of providing greater flexibility to clarify these are seen as a starting point for negotiation.</p> <p>The approach taken to cover the cost of monitoring is not intended to be burdensome. However, to ensure the approach is proportionate to the nature and scale of development the monitoring fees have been simplified between non strategic/strategic sites.</p>	<p>Change paragraphs 9.12 and 9.13 to refer to Construction Industrial Training Board (CITB) Client-Based Approach.</p> <p>Change paragraph 9.17 to refer to 'bi-annual progress reports for the duration of the construction (from commencement to completion), unless otherwise justified.'</p> <p>Change paragraph 9.18 bullet point 1 to: provide site access to Council officers or nominated partners to undertake agreed reviews, audits, or meetings. Access will be arranged through agreement with the developer to ensure minimal disruption to safe site operations.</p> <p>Add new paragraph 9.22 to provide clarity: Employment and Skills KPIs below are indicative and will be used to guide discussions. These benchmarks are derived from CITB national guidance and adapted to reflect local employment market conditions. They are intended to provide a consistent starting point for negotiation rather than fixed targets. Final KPIs and reporting requirements will be agreed at the application stage, taking account of the nature of the occupier and scale of the proposal.</p> <p>Change paragraph 9.27 to: An Employment and Skills Plan is a planning obligation, so it is reasonable for the Council to secure a one-off, upfront fee to enable the Council to support and monitor the provisions of each Employment and Skills Plan. This will be set at £1000 per plan for proposals on non strategic employment sites generating less than 100 FTEs. Reflecting the complexity of Employment and Skills Plans for strategic sites generating more than 100 FTEs at construction and at occupation, monitoring fees will be negotiated on a site by site basis.</p>
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	<p>The SPD outlines that underperformance against Employment and Skills targets may result in enforcement action. This is highly unusual and raises serious concerns about the basis for such action, particularly where targets are not clearly evidenced. Local labour and recruitment can be prioritised however there is only a finite number of locally based potential contractors and employees and this places an inherent constraint on local recruitment. The SPD does not reflect this fundamental issue and is overly prescriptive. This prescriptive level of detail is not only impractical but also risks placing an unreasonable burden on developers and contractors and significantly delaying projects.</p> <p>Occupation Phase Employment and Skills Plans Introduces obligations for Employment and Skills Plans at the occupation phase, which apply to the initial occupier only. These plans require bi-annual monitoring reports for three years post-occupation, including qualitative and quantitative updates, recruitment evidence, and engagement records. This level of monitoring is again disproportionate and not justified. A one-off monitoring contribution is also required for the occupation phase, with fees based on the number of FTEs created. This creates unnecessary cost burdens and lacks transparency.</p> <p>The SPD proposes that Council officers or nominated partners will require site access during the operational phase to undertake reviews, audits, and progress meetings. This raises concerns as those noted for the construction phase, including disruption to business operations and confidentiality.</p> <p>The SPD sets out targets for the occupation phase based on development value bands, including job creation, apprenticeship starts and completions, training hours, and outreach events. There is no clear evidence base for these targets, and their relevance to different types of occupiers is questionable.</p> <p>The SPD suggests enforcement action may be taken for underperformance against occupation phase targets. This is highly unusual and problematic, particularly given the lack of flexibility and evidential justification for the targets.</p>	<p>The Council wishes to proactively and positively support the delivery of Employment and Skills Plans. This will be clarified in the SPD.</p> <p>It is important that the Council monitors the effectiveness of employment and skills plans to ensure they remain fit for purpose. However, a balance needs to be achieved between monitoring and delivery. As such, the frequency of monitoring reports will be reduced so as not to be burdensome.</p> <p>It is important that Council officers/partners are able to access sites to undertake reviews, audits and progress meetings. However, this should not lead to disruption of the business. As such the SPD will be amended to ensure access is by agreement.</p> <p>For clarity, additional information will be provided to explain the background for the benchmarks/targets and to by way of providing greater flexibility to clarify these are seen as a starting point for negotiation.</p> <p>The Council wishes to proactively and positively support the delivery of Employment and Skills Plans. This will be clarified in the SPD.</p>	<p>Change second sentence, bullet point 3, paragraph 9.17 to: The Council will work proactively with developers to address underperformance through review and support.</p> <p>Change first sentence of paragraph 9.23 to: The Council requires annual progress reports for the occupation (from initial occupation for a period of 3 years).</p> <p>Add new second sentence to bullet point 1, paragraph 9.24: Access will be by agreement with the occupier to ensure minimal disruption to business operations.</p> <p>Add new paragraph 9.22 to provide clarity: Employment and Skills KPIs below are indicative and will be used to guide discussions. These benchmarks are derived from CITB national guidance and adapted to reflect local employment market conditions. They are intended to provide a consistent starting point for negotiation rather than fixed targets. Final KPIs and reporting requirements will be agreed at the application stage, taking account of the nature and scale and duration of the occupier.</p> <p>Change second sentence, bullet point 3, paragraph 9.23 to: The Council will work proactively with developers to address underperformance through review and support.</p>
<p>Stantec on behalf of Caddick Development</p>	<p>Tree planting Support a flexible approach that allows for on-site provision, off-site provision (on land with or outside a developer's control), or financial contributions in lieu, depending on site-specific considerations.</p> <p>The SPD lacks transparency in its approach to calculating the cost of tree planting. The figure of £100 per tree (as referenced in paragraph 10.7) is presented without any supporting breakdown or justification. There is no reference to market testing, benchmarking, or consultation with delivery partners such as the Woodland Trust or Nottinghamshire Wildlife Trust. The SPD refers to the 2023 Infrastructure Delivery Plan (IDP), which states: "<i>The average cost of a native tree (up to 100cm as a sapling) is costed at £10.95 by the Woodland Trust's website. 5 trees equates to c£55, with a reasonable allowance for management this equates to £100 per dwelling.</i>" However, the basis for the £45 management uplift is not explained, nor</p>	<p>The £100 per tree was tested through the Local Plan process, including through the Whole Plan Viability Assessment. It is detailed in the IDP within 2.94-2.101 and 3.61-3.64. The Woodland Trust, Nottinghamshire Wildlife Trust, Natural England and other stakeholders all supported the approach taken by the Local Plan and evidence, which remains unchanged in the SPD. Of note, The Woodland Trust 'strongly support' policies on tree planting, and Natural England</p>	<p>No change required.</p>

	<p>is there any breakdown of what this allowance covers. The SPD should clarify whether this cost includes planting, maintenance, replacement, and/or other costs.</p> <p>The IDP refers to £100 per dwelling, whereas the SPD applies this cost to both residential and non-residential development (per 1,000sqm). This inconsistency should be addressed, and the SPD should clarify whether the cost basis differs between residential and non-residential schemes, and if so, how the figure has been derived.</p> <p>It is necessary to define how the floorspace is calculated, for example, large logistics buildings can include extensive upper floor areas which can be considered as 'floorspace' at planning application stage but do not contribute to assessments of 'impact'. The SPD should clarify the calculation is based on the ground floor area of such developments and not the entire gross internal area. Both the Local Plan and SPD base the number of replacement trees on the footprint of the building. While this may be appropriate in many cases, it is recommended that some flexibility be introduced for large-scale buildings to ensure obligations remain proportionate and deliverable.</p> <p>The SPD also does not differentiate between tree types, sizes, or planting contexts (e.g. street trees vs woodland planting), nor does it account for variations in soil conditions, maintenance requirements, or survival rates. This undermines the credibility of the cost figure and raises concerns about whether contributions will be proportionate and fairly related in scale and kind to each individual development.</p> <p>SPD paragraph 10.4 states that trees should be planted in public space or as street trees in the public highway to maximise retention. This is more prescriptive than the Local Plan, which simply refers to on-site provision. The SPD goes further by stating that trees planted in private space will not be included in the obligation. However, the SPD does not define what constitutes 'public, or 'private' space. If areas such as boundary planting within a development are considered private, this could exclude a significant proportion of on-site tree planting from being counted toward the obligation. The SPD should clarify the definitions of public and private space, particularly where tree planting is proposed within the curtilage of employment or residential development but is accessible or visible to the public.</p> <p>Greater flexibility should be applied to this requirement to ensure alignment with the Local Plan. For example, the SPD could be revised to state that trees should be planted in public space "<i>where possible,</i>" allowing for site-specific solutions that still deliver meaningful environmental benefits. Such flexibility is essential for larger commercial developments which do not have the same open space requirements as residential development (which will contain play space, amenity space, etc.) It does not acknowledge the potential for tree planting on developer-owned land in the locality.</p>	<p>'welcome the policy and that it is a positive step to tackling climate change'.</p> <p>The SPD states it is providing planning guidance about Local Plan policies. It is not providing further guidance about how to interpret the IDP. Policy ST48 states the tree planting requirement applies to major residential/non residential development. The SPD repeats this at paragraph 10.3 and 10.7.</p> <p>It is reasonable and consistent with national guidance and best practice for gross internal area to be used to be used as a measure for floorspace. For clarity, information will be added to the SPD to confirm the approach.</p> <p>The SPD states that tree types will be agreed on a site by site basis to reflect the local site conditions, soils, geology etc. The basis for tree planting was saplings of 100cm. However, it is recognised that that developers may wish to provide an alternative size of tree. The SPD will be amended to provide scope for alternative trees to be provided.</p> <p>Paragraph 10.1.13 of the Local Plan states that tree planting will be promoted at site allocations and at other publicly accessible locations across the District, such as nature reserves where the benefits to the environment and to the public can be maximised. This indicates a preference for tree planting in public spaces. Information will be added to clarify the definition of public space.</p> <p>Additional text has been added to explain that proposals that maximise climate change benefits will be considered. The SPD does say that tree planting can be on developer owned land in the locality. However to ensure that there is no conflict with the primary objective of tree planting in publicly accessible locations text will be provided to explain that provided that the tree planting can be secured on developer owned land in perpetuity with appropriate</p>	<p>No change required.</p> <p>Add new second sentence to paragraph 1.7: Where planning obligations are based on the amount of floorspace, this will be applied to the gross internal area of a development.</p> <p>Add to paragraph 10.7/10.8: This is based on The Woodland Trust's average cost of a native tree (up to 100cm as a sapling) and includes an appropriate management contribution (£45 per tree). Costs will be index linked in line with inflation (see paragraph 4.22).</p> <p>When grown to full height this will ensure that a mix of different size native trees will be present (small, medium and large) in the landscape able to mitigate the impacts of climate change. Should developers wish to provide different size trees, as long as they are appropriate to local context, this should be agreed through discussion with the Council's Tree Officer.</p> <p>For clarity, add second sentence, paragraph 10.4: Trees should preferably be planted in public space in a location where the public could reasonably be expected to go or as street trees in the public highway to maximise their retention.</p> <p>For clarity, a new last sentence will be added to paragraph 10.4: Proposals that demonstrate an alternative approach which can secure trees in the long term and which maximise climate change gains will be viewed positively.</p> <p>Add text to paragraph 10.5 to clarify the approach taken to developer owned land: If it is not practicable to provide the full requirement on site, provision can be made on developer</p>
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	<p>The SPD fails to clarify how financial contributions will be spent, monitored, or reported. While it lists potential planting locations, there is no mechanism for ensuring that contributions are used in proximity to the development or that they deliver tangible benefits for occupiers of developments.</p>	<p>management measures this would be an acceptable alternative mechanism.</p> <p>Paragraphs 10.8-10.9 explain how the financial contributions will be spent. For clarity, more information will be added to provide further detail. To ensure there are sufficient ancient/veteran woodlands available within the locality of Local Plan growth areas, additional text will be added to clarify that financial contributions could be used to enhance woodlands within partners ownership.</p> <p>Monitoring and reporting will be undertaken as part of the Council's annual monitoring of planning obligations through the IFS. This is explained in paragraph 4.23 of the SPD.</p>	<p>owned land in the locality <u>provided that the tree planting can be secured in perpetuity through a legal agreement with appropriate management measures.</u></p> <p>Add new paragraph 10.9: Should the financial contribution be used towards new tree planting the management contribution would be used to undertake ongoing maintenance of the trees. Further information is set out within the Trees and Development SPD.</p> <p>Add new paragraph 10.10: Financial contributions could also be used to protect or improve existing ancient or veteran trees/woodland in the locality of the development. These trees deliver significant benefits for carbon sequestration and by enhancing their management, greater climate change mitigation can be achieved. In these circumstances, the management contribution could be used to undertake various tree management matters appropriate to the woodland. This could include pruning, enhancing woodland quality through underplanting or the clearing of invasive species.</p> <p>Add new text to paragraph 10.12: To ensure there are sufficient sites available within the locality of growth areas where financial contributions could be used the Council will continue to work with partners, such as, the Nottinghamshire Wildlife Trust, The Woodland Trust, National Trust and Sherwood Forest Trust to secure tree planting and/or to enable improvements to existing ancient/veteran woodland in their ownership.</p> <p>No change required.</p>
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