BOLSOVER DISTRICT COUNCIL
LOCAL PLAN EXAMINATION
Matter 2 SOUNDNESS OF THE LOCAL PLAN

Issue 16: Is the Local Plan justified, effective and consistent with national policy in respect of Implementation and Monitoring

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Q212. Is Policy II1 consistent with national policy in respect of the role of developer contributions?

Council response

212.1. Yes, it is the Council’s contention that policy II1: Plan Delivery and the Role of Developer Contributions is consistent with national policy in respect of developer contributions. Paragraphs 9.4 and 9.5 of the Local Plan advises that “under the Community Infrastructure Levy Regulations 2010 (as amended), planning obligations are legally required to be:

a. Necessary to make the development acceptable in planning terms;
b. Directed related to the development
c. Fairly and reasonably related in scale and kind to the development

212.2. On this basis, planning obligations will be used to address the additional burden placed on infrastructure by developments, both those allocated within the Local Plan and those that come forward on unallocated sites.

212.3. In light of this legal framework, policy II1 advises that “planning obligations will be sought where the implementation of a development would create a need to provide additional or improved infrastructure, amenities or facilities or would exacerbate an existing deficiency. The identification of this need will be assessed on a case by case basis but will be guided by the latest version of the Council’s Infrastructure Study and Delivery Plan.” As a result, the Council is satisfied that its approach is consistent with national policy.

212.4. Finally, whilst in March 2018 the Government consulted on reforming developer contributions to affordable housing and infrastructure, it is noted that in October 2018 the Government published its response which indicated that they intend to implement a number of reforms but that legislation will be required to achieve this. At the time of writing, the Government has not yet commenced consultation on the draft regulations.

Q213. Is Policy II2 justified and consistent with national policy in respect of its requirement for developers to submit for approval an Employment and Skills Plan on significant development sites?

Council response

213.1. The Council considers that policy II2: Employment and Skills is justified and consistent with national policy in respect of its requirement for
developers to submit for approval an Employment and Skills Plan on significant development sites.

213.2. Paragraph 20 of the 2012 NPPF states that, “To help achieve economic growth, local planning authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st century”. In accordance with the Council’s Growth Strategy (2014); which aims to increase the number of jobs and re-balance the type of jobs by increasing the number of higher skilled and higher paid jobs.

213.3. Policy II2 does take a proactive approach to obtain valuable training and experience for local people which would equip them with the necessary skills to improve their future employment prospects and address issues identified within the Spatial Portrait and Objectives L and M of the Local Plan. This would be beneficial to local businesses and local people, supporting the local economy and local communities, in accordance with the NPPF.

213.4. National policy continues to support local economic growth. Paragraph 81 of the 2018 NPPF states that “Planning policies should: set out a clear economic vision and strategy which positively and proactively encourages sustainable economic growth, having regard to Local Industrial Strategies and other local policies for economic development and regeneration”.

213.5. In support of other local policies, the Council adopted its Economic Development and Housing Strategy (2015) which includes a strategic priority of maximising employment, skills and training opportunities. Policy II2 would clearly support this adopted local strategy.

213.6. As policy II2 is therefore in accordance with the NPPF and responds to an identified local need to increase the number of jobs as a whole, particularly in skilled roles, the policy is justified and consistent with national policy.

Q214. Is the monitoring of the Local Plan, along with the indicators, targets and triggers for review, set out in Chapter 10 – Monitoring appropriate?

Council response

214.1. The Planning and Compulsory Purchase Act 2004 sets a need to monitor Local Plans (part 2, section 35) and the NPPF states that Local Plans should be kept up to date (paragraph 157). In order to keep the Local Plan up to date, in addition to regular reviews, failings of one or multiple policies in meeting the objectives of the Plan could necessitate an early review of part or all of the Plan. It is therefore very important that the performance of the Plan is monitored.
214.2. To enable the Council to monitor the policies within the Plan effectively, it is essential that the methods used to monitor policies rely on data that is available and actually provides a measurable means of establishing a policy’s effectiveness.

214.3. Appendix 10.1 sets out which policies contribute towards which objectives, and this illustrates that a particular policy can work towards many objectives. From this, the Council were able to see that policies were in place to achieve all objectives. The Council then established measurable indicators and considered what targets would be reasonable and in what circumstances should a review be triggered. The Council also considered which mechanisms would collect the required data to ensure the monitoring could be achieved.

214.4. While there may be other methods of measuring the effectiveness of each policy, the Council did not consider it appropriate to create unnecessarily difficult tasks as every policy would have to be monitored yearly. The monitoring methods are therefore considered to achieve the necessary results through a realistic and proportionate workload and so the Council considers that the monitoring of the Local Plan is appropriate.