

**DRAFT STATEMENT OF COMMON GROUND**

**BASSETLAW DISTRICT COUNCIL**

**AND**

**NOTTINGHAMSHIRE COUNTY COUNCIL**

**DATE: 1 JANUARY 2022**

**DRAFT**

## **1. Introduction**

- 1.1 This Statement of Common Ground (SoCG) has been developed in order to address strategic planning matters between the parties consisting of Bassetlaw District Council (DC) and Nottinghamshire County Council (NCC).
- 1.2 In relation to strategic planning matters, section 33A(4) of the Planning and Compulsory Purchase Act 2004 (PCPA 2004) indicates that Local Planning Authorities have a duty to cooperate with prescribed bodies identified in paragraph (a), (b) or (c) or subsection (9) of the PCPA 2004. This approach is also a requirement of national planning policy. Paragraph 35 of the National Planning Policy Framework (NPPF) seeks to ensure that the Local Plan is deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground.
- 1.3 Both parties are prescribed bodies for the purposes of the Duty to Cooperate.
- 1.4 The Statement sets out the confirmed points of agreement between Bassetlaw DC and NCC with regard to strategic planning matters arising from the Bassetlaw Local Plan, specifically:
  - a) Economic Development
  - b) Apleyhead Junction strategic employment site allocation
  - c) Proposed housing allocations (NCC owned) identified within the Bassetlaw Local Plan
  - d) Gypsy & Traveller provision
  - e) Heritage and archaeology
  - f) Biodiversity and Geodiversity
  - g) Public Health and social care
  - h) Flooding and drainage
  - i) Local Highways Network, Public Transport and walking and cycling infrastructure
  - j) Education provision
  - k) Minerals and Waste
  - l) Infrastructure delivery
- 1.5 The purpose of the Statement of Common Ground is to inform relevant stakeholders about the areas of agreement or otherwise between Bassetlaw DC and NCC in relation to key strategic matters contained in the Bassetlaw Local Plan (2020-2038).

## **2. Background and Governance**

- 2.1 Bassetlaw DC is the Local Planning Authority (LPA) for its administrative area. In relation to the Bassetlaw Local Plan NCC is responsible for the following statutory functions:
  - a) Minerals and waste
  - b) Education

- c) Highways and public transport
  - d) Public health and social care
  - e) Flood management, prevention and investment
- 2.2 Ultimately, both parties have a Duty to Co-operate on strategic planning matters affecting Bassetlaw at a district and county level.
- 2.3 The development of the Bassetlaw Local Plan has been enhanced by ongoing collaborative work to ensure that strategic planning matters are appropriately addressed. Bassetlaw DC and NCC meet on a regular basis to discuss the strategic matters identified above. Both parties meet quarterly at the N Derbyshire and Bassetlaw HMA Liaison Group meetings and quarterly at the Nottinghamshire Planning Officers Group meetings. Both Councils also liaise on specific strategic planning matters when required throughout the year.
- 2.4 Representations were submitted by NCC to all consultation stages of Bassetlaw DC's emerging Local Plan most recently in October 2021. These have been considered and where appropriate informed the development of subsequent stages of the Plan. Following this, fortnightly meetings have been held with strategic management at both authorities to progress unresolved Local Plan issues.
- 2.5 A number of meetings have also been held since 2015 in relation to NCC's adopted Minerals Local Plan and emerging Waste Local Plan and in relation to the Bassetlaw Local Plan 2020-2037: Publication Version as part of the Duty to Co-operate requirements. The Nottinghamshire Minerals Local Plan was adopted in March 2021, with the Statement of Common Ground signed by Bassetlaw DC in December 2020, following discussions relating to strategic matters between the two parties.
- 2.6 This Statement of Common Ground reflects the current position between Bassetlaw DC and NCC including points of agreement and where matters remain outstanding and subject to ongoing dialogue, and aligns with the Nottinghamshire Minerals Local Plan SOCG 2020 referred to in paragraph 2.5 above. It will be updated as and when required.
- 2.7 Bassetlaw DC and NCC will continue to meet to discuss strategic planning matters as the Bassetlaw Local Plan progresses to submission and examination. As a minimum, a meeting will take place prior to submission of the Bassetlaw Local Plan for examination.

### **3. Areas of Common Ground**

#### **3.1 Economic Development**

- 3.1.1 The Bassetlaw Local Plan seeks to promote economic growth and employment development in the district to the benefit of Bassetlaw's communities and to drive future investment in the county, sub-region and region, whilst securing an uplift in economic productivity, better paid and higher skilled jobs across the District.

- 3.1.2 Both parties agree that the general employment sites allocated by the Bassetlaw Local Plan provide an opportunity to deliver economic growth in various key regional/sub-regional growth sectors including digital logistics, energy and modern methods of construction.
- 3.1.3 Both parties agree to work as a one public sector voice to facilitate the growth, investment and delivery of Local Plan general employment site allocations; including the Bassetlaw Garden Village, recognising that these are a means to facilitate a step-change in the local and regional/sub-regional economy.
- 3.1.4 In addition, the Bassetlaw Local Plan 2020-2037: Publication Version proposes to allocate 118.7 hectares of land at Apleyhead on the junction of the A1 and A57, to the east of Worksop. The site is allocated to meet the needs for sub-regional and regional logistics only in the plan period.
- 3.1.5 The Bassetlaw A1 Corridor Logistics Assessment undertaken by Icen Projects Limited (August 2021) and the Bassetlaw Housing and Economic Needs Assessment undertaken by G L Hearn (November 2020) identifies that the length of the A1 and A57 within Bassetlaw district is seen by the property market as an important location for the development of the large scale logistics sector. Bassetlaw DC and the D2N2 LEP consider the site will contribute to the delivery of D2N2 LEP Recovery and Growth Strategy 2021 specifically for the digitalisation of the logistics sector and its supply chain. NCC agree that Apleyhead is ideally located to accommodate regional/sub-regional growth to meet the needs of the large scale logistics market.
- 3.1.6 Nottinghamshire County Council is leading a study of the future need for logistics and distribution across the Nottingham Core and Outer Housing Market Areas which is due to commence in December 2021. Both parties agree that Apleyhead should be identified within the Nottingham HMAs Logistics Study as a proposed allocation in the Bassetlaw Local Plan as part of understanding available capacity in the surrounding area.
- 3.1.7 The Bassetlaw Local Plan and the Infrastructure Delivery Plan (August 2021) sets out the transport infrastructure needed to deliver the Apleyhead strategic employment site and the general employment sites. Consultation with Nottinghamshire County Council on the Draft Statement of Common Ground has highlighted that there are on-going and unresolved issues relating to transport infrastructure which require further dialogue. Further work and dialogue is taking place to resolve these issues as the Local Plan progresses.

## **3.2 Proposed Housing Allocations (NCC owned)**

- 3.2.1 The Bassetlaw Local Plan: Publication Version proposes to allocate five sites that are wholly or partly owned by NCC. Bassetlaw DC consider these sites to be suitable, available and deliverable. This is based on the results of the Bassetlaw Land Availability Assessment undertaken by Bassetlaw DC (December 2021) and the Bassetlaw Sustainability Appraisal undertaken by LUC (December 2021) and informed by various evidence base documents.

3.2.2 NCC indicate that planning applications are expected to be submitted for the sites identified below following adoption of the Local Plan. NCC agree that the housing trajectory below (as included in the Bassetlaw Local Plan) accurately reflects the proposed timescale for delivery of each site.

	2025-26	2026-27	2027-28	2029-30	<b>Total dwellings</b>
<b>Bassetlaw Pupil Referral Centre, Worksop</b>	20				<b>20</b>
<b>Former Manton Primary School, Worksop</b>	30	30	30	10	<b>100</b>
<b>Talbot Road, Worksop</b>	15				<b>15</b>
<b>Former Elizabethan School, Retford</b>	16	30			<b>46</b>
<b>St Michael's View, Retford</b>	20				<b>20</b>

3.2.3 Policy ST58 identifies that these sites will be required to make provision for a range of physical, social and green infrastructure to address adverse impacts associated with the new development. Both parties agree that supporting infrastructure will need to be delivered in a timely manner, as agreed with the relevant infrastructure partner(s), and as identified through the Council's Infrastructure Delivery Plan, to provide policy compliant and deliverable schemes.

3.2.4 Bassetlaw DC agree to maintain a 'living' Infrastructure Delivery Plan to ensure the infrastructure requirements and the delivery timescales for infrastructure required as a consequence of these sites are clear and are appropriate to mitigate impacts associated with relevant developments.

### **3.3 Gypsy and Traveller provision**

3.3.1 The Bassetlaw Local Plan identifies a requirement for 42 permanent pitches to meet the needs of Gypsy and Travellers; 21 additional pitches in the first ten years of the Plan (to 2030) and a further 21 pitches to 2038. This will be fully met within the district boundary over the plan period. It does not identify a need for Travelling Showpeople. This requirement is based on the results of the Gypsy and Traveller Accommodation Needs Assessment undertaken by RRR Consulting Ltd (November 2019) and an Addendum undertaken by RRR Consulting Ltd (November 2021). Bassetlaw DC has not agreed to accommodate any neighbouring authorities' needs for gypsy and travellers.

3.3.2 Bassetlaw DC is currently exploring options to address the identified district need for the temporary siting of negotiated stopping for the Gypsy and Traveller community with neighbouring authorities. Both parties agree to continue to discuss the opportunity for a negotiated stopping protocol at a strategic level.

### **3.4 Heritage**

3.4.1 NCC is responsible for maintaining the Nottinghamshire Historic Environment Record (HER). BDC has consulted the NCC HER on the site allocations and reasonable alternatives identified by the Bassetlaw Local Plan, the Bassetlaw Sustainability Appraisal 2021 and the Bassetlaw Land Availability Assessment 2021 in relation to heritage matters. NCC confirm their support for the site selection methodology undertaken in relation to heritage and agree that the approach will have no significant adverse impacts on the historic environment.

### **3.5 Biodiversity and Geodiversity**

3.5.1 The district contains a range of nationally designated, locally designated and important ecological features that play a vital part in the district and county Nature Recovery Network. The Bassetlaw Local Plan: Publication Version recognises that biodiversity crosses district boundaries so ensures that development within or adjoining the Nature Recovery Network maintains the integrity, value and continuity of the wider network.

3.5.2 The draft Bassetlaw and Idle Valley Biodiversity Opportunity Mapping undertaken by NCC (2018) provides a robust baseline, identifying opportunities to help tackle network fragmentation and to enhance and expand its functionality and biodiversity particularly for the four main habitat networks - woodland, heathland and acid grassland, and other grassland and wetland - should be considered.

3.5.3 NCC confirm their support for planning for the natural environment at a landscape level, and agree that use of the draft Bassetlaw and Idle Valley Biodiversity Opportunity Mapping is an appropriate baseline to identify opportunities for enhancement of the natural environment over the plan period.

3.5.4 Bassetlaw DC agree to take into consideration the recommendations of the draft Bassetlaw and Idle Valley Biodiversity Opportunity Mapping when determining development proposals.

3.5.5 Clumber Park SSSI sits within Bassetlaw District and Birklands and Bilhaugh SAC/Sherwood Forest NNR in Newark & Sherwood District. The Council have jointly commissioned with Newark & Sherwood DC a recreational impact assessment to identify the potential in-combination recreational disturbance from housing development in each site's zone of influence upon each site's protected characteristics. The zones of influence extend into neighbouring authorities; a joint authority working group, including Nottinghamshire County Council, National Trust and RSPB is in place to consider the recreational impact assessment and to ensure appropriate mitigation can be secured in a timely manner. NCC agree to continue to work with the working group to agree a mitigation strategy and strategic solution for both Clumber Park and Bilhaugh SAC/Sherwood Forest NNR. This is currently an unresolved issue; further work and dialogue is taking place to resolve these issues as the Local Plan progresses.

### **3.6 Public Health and social care**

- 3.6.1 The Nottinghamshire Planning and Health Framework 2019-2022 undertaken by NCC aims to provide robust planning and health responses to planning applications, local plans, neighbourhood plans and other relevant planning documents, to ensure health is fully embedded into the planning process. The framework contains a Checklist for Planning and Health - the Nottinghamshire Rapid Health Impact Assessment Matrix which focuses on the built environment and issues directly or indirectly influenced by planning decisions.
- 3.6.2 NCC confirm their support for the approach the Bassetlaw Local Plan takes to healthy place-making, including the requirement in Policy ST44 that developments of 50 or more dwellings should submit a health impact assessment based upon the NCC Rapid Health Impact Assessment Matrix.
- 3.6.3 Bassetlaw DC agree to take the framework into consideration when preparing the Healthy Bassetlaw development accreditation scheme, and agree to liaise with NCC during the production of that scheme.
- 3.6.4 The Bassetlaw Local Plan proposes a site allocation at Ordsall South in Retford (site HS13). Policy 27 identifies that Ordsall South should provide an extra care facility to meet identified needs for the town's older, growing population over the plan period. Bassetlaw DC have discussed the proposal with NCC who provided in principle support for the scheme. NCC confirm their support for extra care in this location, and agree to work positively with Bassetlaw DC and the site promoter to agree the provision of extra care within the site promoter's emerging masterplan.

### **3.7 Flood Risk and Drainage**

- 3.7.1 NCC are the Lead Local Flood Authority for Bassetlaw. A significant proportion of the district lies within a higher risk flood zone. Bassetlaw DC has had regular liaison with NCC on flooding and drainage issues to inform the production of the Bassetlaw Local Plan. This includes ensuring that proposed site allocations are identified in sequentially preferable locations and/or development is within sequentially preferable parts of a site in accordance with national policy and that the approach taken to regeneration of towns and priority regeneration areas is appropriate from a flood risk and drainage perspective.
- 3.7.2 This is evidenced by the Bassetlaw Sustainability Appraisal undertaken by LUC (December 2021) and the Bassetlaw Strategic Flood Risk Assessments Level 1 and 2 undertaken by JBA Consulting (2020 and 2021). NCC agree that during the production of the Strategic Flood Risk Assessments, JBA Consulting has shared baseline data with NCC and that their views have been appropriately reflected in the final Strategic Flood Risk Assessments.
- 3.7.3 NCC also agree that the Bassetlaw Local Plan is supported by appropriate Strategic Flood Risk Assessment(s) and that the Bassetlaw Local Plan has sufficiently assessed impacts of flood risk and drainage.

3.7.4 Bassetlaw DC agree to continue to liaise with NCC where necessary on flooding issues and through the development and regeneration of sites, including in Worksop Town Centre, where there is an identified flood risk.

### **3.8 Local Highways Network, Public Transport and walking and cycling infrastructure**

3.8.1 At a strategic level, the Bassetlaw Transport Study undertaken by Tetra Tech (January 2022) assesses the impact of the growth identified by the Bassetlaw Local Plan on the existing road network and proposes appropriate mitigation to address the impacts generated by the development identified by the Local Plan. NCC agree that they have provided the most up to date traffic and accident data to inform the Bassetlaw Transport Study. NCC agree that the approach undertaken is consistent with national policy and best practice across the country.

3.8.2 Bassetlaw DC confirm that a more detailed Transport Assessment for Retford is being updated. Additionally that a detailed assessment for Worksop is underway to bring together the relevant elements of the Bassetlaw Transport Study and the Worksop DPD Transport Study 2021. Both are being undertaken by Tetra Tech. Bassetlaw DC agree to ensure that NCC are fully engaged in the production of both assessments, in particular that NCC are able to agree the scope and modelling baseline of each assessment to enable an assessment of Local Plan growth on the local highways network to be undertaken for these two main towns. The evidence base is being finalised; further work and dialogue is taking place to complete a robust evidence base to the satisfaction of both parties as the Local Plan progresses.

3.8.3 Both parties agree to work collaboratively to agree appropriate solutions to issues identified by the three transport evidence documents to ensure mitigation can be appropriately identified in the Bassetlaw Local Plan and in the Bassetlaw Infrastructure Delivery Plan to address the impacts of Local Plan growth.

3.8.4 The Bassetlaw Garden Village is a proposed site allocation in the Bassetlaw Local Plan. To support the delivery of the Garden Village, Bassetlaw DC have established a governance framework; NCC sit on the Consultative Group and also on the officer group. NCC agree that through these groups, they have supported the principle of the Bassetlaw Garden Village and have had opportunity through the development of the Vision Statement and its concept plan to work with consultants and the Consultative Group to inform the Bassetlaw Garden Village Vision Statement, August 2021.

3.8.5 The Bassetlaw Garden Village will be delivered over two plan periods. The Bassetlaw Local Plan indicates the site is expected to commence delivery from 2032. The Bassetlaw Transport Study considers the potential impact of the Garden Village but more detailed work is underway through the Worksop and Retford Transport Assessments, to ensure that potential transport impacts associated with the first phase (590 dwellings, 10ha of employment land, 5ha of commercial land) is appropriately identified and mitigated through the Local Plan.

The approach to be taken to transport infrastructure at the Garden Village is currently an unresolved issue; further work and dialogue is taking place to resolve these issues as the Local Plan progresses.

- 3.8.6 The A57 is part of the strategic road network which connects Bassetlaw and Rotherham administrative areas. In Bassetlaw, NCC are the Local Highways Authority with responsibility for the safe, efficient operation of the road. Bassetlaw DC and NCC agree that traffic impact on strategic and local road links and junctions is a strategic issue. Both parties agree to continue to actively work together, with Rotherham Metropolitan Borough Council and National Highways to develop an improvement plan for the A57. This is currently an unresolved issue; further work and dialogue is taking place to resolve these issues as the Local Plan progresses, and will be detailed through a separate statement with relevant parties.
- 3.8.7 Both parties also agree to work positively to identify appropriate mitigation and to consider the proportionate use of developer contributions/the Community Infrastructure Levy and seek to secure sources of external funding to facilitate improvements in a timely manner.
- 3.8.8 Bassetlaw DC is a partner to the Nottinghamshire Bus Service Improvement Plan and has signed an MOU to continue to work with NCC, neighbouring authorities and commercial bus operators to ensure that public transport services are appropriate and effective in the district, including those that cross boundaries. Bassetlaw DC and NCC agree to continue to investigate appropriate use of developer contributions and sources of external funding to support public transport services in the district.
- 3.8.9 The Retford Walking and Cycling Audit undertaken by Tetra Tech (2021) assessed the network in Retford and identified opportunities for enhancement. The Worksop Transport Assessment that is underway will highlight opportunities for sustainable travel in Worksop. NCC agree that the Retford audit is an appropriate baseline for identifying future opportunities for sustainable travel in the town and also agree to continue to work with Bassetlaw DC to identify options within Worksop.
- 3.8.10 Both parties agree that through ongoing discussions in the development management process the potential strategic impacts on the local highway network as a result of committed development in the district are delivered and funded appropriately.
- 3.8.11 The Bassetlaw Local Plan and the Infrastructure Delivery Plan (December 2021) sets out the infrastructure needed to deliver the growth identified in the Local Plan. The Bassetlaw Transport Study 2022 has informed the approach taken to transport infrastructure in the Local Plan and the Infrastructure Delivery Plan. Confirmation of transport requirements is currently an unresolved issue; further work and dialogue is taking place to resolve these issues as the Local Plan progresses.

### **3.9 Education provision**

- 3.9.1 Policy ST58 identifies that new development will be required to make provision for a range of physical, social and green infrastructure to address the impacts associated with new development. This includes education facilities. Both parties agree that supporting infrastructure will need to be delivered in a timely manner, and appropriately funded, as agreed with the relevant infrastructure partner(s), and as identified through the Council's Infrastructure Delivery Plan, to provide a policy compliant and deliverable scheme.
- 3.9.2 Bassetlaw DC agree to use planning obligations, including developer contributions, the Community Infrastructure Levy and/or require the provision of land to address the adverse impacts of new development upon education facilities. NCC is the Local Education Authority for Bassetlaw district, and agrees that at the time of writing, the yield, current cost of school place provision, the approach taken to the provision of education facilities (primary and secondary), and timescale for delivery of education infrastructure within the Infrastructure Delivery Plan have been generated by the LEA, are appropriate and are sufficient to meet demands from relevant development.

### **3.10 Minerals and Waste**

- 3.10.1 NCC is the minerals and waste authority for the district. Bassetlaw DC signed a SOCG with NCC relating to the Nottinghamshire Minerals Local Plan in 2020. Both parties agree that the Bassetlaw Local Plan appropriately reflects the provisions of the Nottinghamshire Minerals Plan and the SOCG, including the minerals safeguarding areas, and thereby ensures that proposed site allocations would not sterilise important mineral reserves.
- 3.10.2 Bassetlaw DC agree to safeguard existing and proposed waste management facilities as set out in the Nottinghamshire and Nottingham Replacement Waste Local Plan. Both parties agree to liaise over the emerging Nottinghamshire Waste Local Plan to ensure the emerging plan is consistent with the Bassetlaw Local Plan.
- 3.10.3 NCC is the statutory Waste Disposal Authority for the district and is responsible for the safe treatment and disposal of household and other Local Authority Waste. It is also responsible for the provision of one or more household waste Recycling Centres where residents can deposit their waste. NCC confirm that the additional housing development proposed in the Bassetlaw Local Plan does not result in the need for any additional waste recycling facilities being required in the plan period.

### **3.11 Infrastructure delivery**

- 3.11.1 Bassetlaw DC has produced an Infrastructure Delivery Plan (IDP) that identifies the key infrastructure needed to mitigate the impacts of planned development in the Bassetlaw Local Plan. The Bassetlaw Local Plan sets out in site specific policies necessary infrastructure requirements sought to mitigate identified impacts. Both parties agree that the infrastructure sought as a consequence of

new development in these policies must be consistent with the three tests set in national legislation.

- 3.11.2 The Bassetlaw Local Plan and the Infrastructure Delivery Plan (December 2021) sets out the infrastructure needed to deliver the growth identified in the Local Plan. Bassetlaw DC will continue to liaise with NCC in relation to infrastructure, to ensure the potential individual and cumulative impacts of planned growth are addressed appropriately in the Local Plan, and that the appropriate mechanism for securing infrastructure is identified through the Infrastructure Delivery Plan.
- 3.11.3 National policy states that the costs of infrastructure should not put an unnecessary burden on new development. In Bassetlaw district, the cost of securing the Community Infrastructure Levy alongside other developer contributions required to deliver infrastructure associated with new development impacts on the viability of larger new development.
- 3.11.4 The Bassetlaw Whole Plan and CIL Viability Assessment, undertaken by NCS (2021) recommends that Local Plan site allocations of 50 dwellings or more should therefore be CIL exempt. Bassetlaw DC confirm that in these cases the Local Plan will require all relevant infrastructure to be secured via planning condition, s106 agreement and/or s278 agreement. Infrastructure required from other sites will be secured via the same mechanisms as well as from CIL. NCC confirm that this is an appropriate approach to securing relevant infrastructure from new development.
- 3.11.5 Bassetlaw DC confirm the Draft CIL Charging Schedule has been subject to consultation alongside the development of the Local Plan, and will be submitted to the Secretary of State for consideration alongside the Bassetlaw Local Plan.
- 3.11.6 Bassetlaw DC will continue to positively liaise with NCC to ensure infrastructure is able to be delivered in a timely manner. Bassetlaw DC will also work closely with NCC to consider potential impacts on strategic infrastructure over the plan period. The Bassetlaw Local Plan requires that each site allocation is supported by a masterplan proportionate to the type and scale of development. For larger sites this includes a delivery strategy and phasing plan. Bassetlaw DC agree to work with NCC to ensure that each phase of a development can be accommodated appropriately by the infrastructure network.
- 3.11.7 NCC agree to liaise with Bassetlaw DC as a one public sector voice to identify sources of external funding to help accelerate the delivery of strategic infrastructure projects and development in the district.
- 3.11.8 Bassetlaw DC support the production of NCC's draft Strategic Infrastructure Plan, specifically the identification of the following projects in the district:
- Project E3: New Primary School, Gateford Park, Worksop
  - Project E12: Additional primary and secondary school provision at Harworth & Bircotes
  - Project G5: Provision of telemetry systems in all relevant watercourses
  - Project T19: Bassetlaw Garden Village – Transport Infrastructure

- Project T20: A57 Improvement Plan
- Project T21: A1 Strategic Study – Peterborough to Blyth corridor

NCC agree to liaise with Bassetlaw DC in relation to finalising this SIP and over future iterations of the plan.

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AGREEMENT

Signed on behalf of Bassetlaw District Council

Dated:

Signed on behalf of Nottinghamshire County Council

Dated:

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