

**STATEMENT OF COMMON GROUND**

**BASSETLAW DISTRICT COUNCIL**

**AND**

**ENVIRONMENT AGENCY**

**Date: February 2022**

**Parties:**

**Bassetlaw District Council**

**Environment Agency**

## 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 the Environment Agency (EA).
- 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 The EA are a statutory consultee for planning applications situated in fluvial flood zones 2 and 3.
- 1.4 Both parties are prescribed bodies for the purposes of the Duty to Cooperate.
- 1.5 The Statement sets out the confirmed points of agreement between Bassetlaw DC and the EA with regard to strategic planning matters arising from the Bassetlaw Local Plan, specifically:
  - Bassetlaw Sequential Test Report.
  - Bassetlaw Strategic Flood Risk Assessment Level 1.
  - Bassetlaw Strategic Flood Risk Assessment Level 2.
  - Proposed Site Allocations/Priority Regeneration Areas (Bassetlaw Garden Village, Worksop Central, Former Cottam Power Station site, Trinity Farm and Ordsall South.
  - Flood Risk and Drainage (Local Plan policies ST52 and ST53).
  - Climate Change and Mitigation (Local Plan policy ST50).
  - Safeguarded Land (Local Plan policy ST56).
  - Draft Worksop Central Development Plan Document.

## 2. Background and Governance

- 2.1 The development of the Bassetlaw Local Plan has been enhanced by ongoing collaborative work to ensure that the identified strategic planning matters are appropriately addressed. Bassetlaw DC and the EA meet virtually on a regular basis to discuss the strategic matters identified above. Representations were submitted by the EA to the consultation stages of Bassetlaw DC's emerging Local Plan most recently in June 2021. These have been considered and where appropriate informed the development of subsequent stages of the Plan.

- 2.2 This Statement of Common Ground reflects the current position between Bassetlaw DC and the EA. It will be updated as and when required.
- 2.3 Bassetlaw DC and the EA 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 Bassetlaw Sequential Test Report**

- 3.1.1 The EA are a statutory consultee for planning applications situated in fluvial flood zones 2 and 3. The majority of river flooding impacts the centres of major housing and commerce, such as Retford and Worksop. Bassetlaw DC has had regular liaison with the EA 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 the Bassetlaw Sequential Test Report undertaken by Bassetlaw DC (2021) and national policy and that the approach taken to regeneration of towns and priority regeneration areas is appropriate from a flood risk and drainage perspective. The EA understands that Bassetlaw has undertaken the sequential test process through the production of the Bassetlaw Sequential Test Report (2021). The EA has not reviewed this document as the sequential test is a matter for the Local Authority, but are satisfied that Bassetlaw have undertaken the sequential test process.

#### **3.2 Bassetlaw Strategic Flood Risk Assessment Level 1 and Level 2**

- 3.2.1 The proposed site allocations and planning policies are evidenced by the Bassetlaw Strategic Flood Risk Assessments Level 1 and 2 undertaken by JBA Consulting (2020 and 2021), the Bassetlaw Sequential Test Report (August 2021) and the Bassetlaw Sustainability Appraisal undertaken by LUC (August 2021).
- 3.2.2 The Strategic Flood Risk Assessment Level 1 and 2 (2021) were prepared in consultation with the EA and this was followed up by a series of meetings, along with proactive engagement to agree the structure, methodology and mapping required for the SFRA. The conclusions of the SFRA are accepted by the EA and the EA agree that during the production of the Strategic Flood Risk Assessments, Bassetlaw DC has liaised with the EA and that their views have been appropriately reflected in the final Strategic Flood Risk Assessments.
- 3.2.3 The EA agree that the proposed modifications raised through their consultation responses to the Local Plan have been accommodated where appropriate.

### **3.3 Proposed Site Allocations/Priority Regeneration Areas**

- 3.3.1 The Bassetlaw Local Plan proposed site allocations; Bassetlaw Garden Village, HS7: Trinity Farm and HS13: Ordsall South are affected by flooding and/or drainage issues. The EA have been involved in the production of relevant Local Plan policies (ST4, ST8, 21 and 27) and agree that the policy wording and reasoned justification relating to flood risk, drainage and mitigation is appropriate.

### **3.4 Flood Risk and Drainage**

- 3.4.1 The EA agree that they have been heavily involved in the preparation of strategic policies ST52: Flood Risk and Drainage and ST53: Protecting Water Quality and Management. The EA agree that the policy wording and reasoned justification relating to flood risk, drainage and mitigation is appropriate to manage development in the district over the plan period.

### **3.5 Climate Change and Mitigation**

- 3.5.1 The EA agree that they have been involved in the preparation of strategic policies ST50: Reducing Carbon Emissions, Climate Change Mitigation and Adaptation. The EA agree that the policy wording and reasoned justification relating to flood risk, drainage and mitigation is appropriate.

### **3.6 Safeguarded Land**

- 3.6.1 The Bassetlaw Local Plan Policy ST56 identifies land to be protected from unspecified development during the plan period. The safeguarded land includes that required to help support the delivery of strategic growth and infrastructure, including to support regeneration of the Districts town centres, including Worksop.
- 3.6.2 Policy ST56 safeguards land between Shireoaks and Worksop to accommodate water storage as part of the wider Worksop Flood Management Scheme. The EA acknowledge and welcome the approach to safeguard land for the benefits of improved flood risk management in Worksop. The EA are about to embark on developing an early business case to review options at a high level for improving flood risk in Worksop which will allow the Environment Agency to understand the viability of any potential opportunities, and whether they can be taken forward. One of these options that may prove beneficial to the town may include the upstream storage of floodwater, but the EA will need to undertake much more detailed work to firstly understand if a flood improvement scheme is viable and secondly if the scheme requires upstream storage of floodwater. If these first two steps are affirmative, then a check of suitable land will need to be undertaken.

### **3.7 Draft Worksop Central Development Plan Document**

- 3.7.1 Local Plan Policy ST6 seeks to plan for and manage the comprehensive regeneration of Worksop Central, forming an integral part of the Bassetlaw Local Plan.

- 3.7.2 To facilitate the regeneration, Bassetlaw DC are also producing a Development Plan Document. The DPD underwent a Regulation 18 consultation in June 2021. Bassetlaw DC and the EA agree to continue to work together through the production of the Worksop Central DPD to address relevant flooding and drainage matters.
- 3.7.3 Work on the DPD will continue alongside the progression of the Local Plan. Both parties agree to ongoing engagement and sharing of information to identify flood risk improvements and environmental opportunities and the appropriate delivery of regeneration.
- 3.7.4 This cooperative working is able to identify where regeneration and flood risk improvement can be mutually beneficial and thereby efficient to deliver both benefits simultaneously.
- 3.7.5 Both parties agree that a more detailed SFRA Level 2 assessment is required for Worksop Central; Bassetlaw DC agree to commission the SFRA following the release by the EA of new modelling data for the River Ryton. The EA agree to share this data with Bassetlaw DC and their consultants JBA to inform the SFRA Level 2 work. Both parties agree to work collaboratively on the SFRA Level 2 to enable its delivery in a timely manner to inform the draft DPD.
- 3.7.6 Cooperation will also be maintained through ongoing work on the potential Worksop Flood Alleviation Scheme. The EA agrees to continue to work with Bassetlaw DC and other partners to investigate any flood risk options to reduce flood risk to homes and businesses in Worksop Central. Both parties agree that flood management is needed within Worksop and that there remains uncertainty about the scale and type of management needed. The EA agree to undertake a Strategic Outline Case which will help inform whether to proceed to the next stage which would include an Outline Business Case. The EA agree to continue to liaise with Bassetlaw DC on the detail as the project progresses to ensure the approach can be appropriately reflected in the emerging DPD.

## AGREEMENT

Signed on behalf of Bassetlaw District Council

Name: Councillor Jo White, Portfolio Holder for Regeneration and Deputy Leader of the Council

Dated: 21 February 2022

Signed on behalf of the Environment Agency

Name: Pete Haslock, Environment Planning & Engagement Manager

Dated: 18/02/2022