Statement of Common Ground
Chesterfield Borough Council and
Bolsover District Council
September 2019

1. Purpose of the Statement of Common Ground

1.1 This Statement of Common Ground has been prepared jointly between the parties consisting of Chesterfield Borough Council and Bolsover District Council (BDC).

1.2 The Purpose of this Statement of Common Ground is to set out:
   • The mechanisms for discussing key issues between the two authorities to date;
   • An outline of joint working undertaken between the two authorities;
   • Agreements in the form of signed Statements of Common Ground between the two authorities and the wider Housing Market Area;
   • A proposed modification to the Publication version of the Local Plan which overcomes one of the objections made by Bolsover District Council; and
   • The outstanding issues where the two authorities have not been able to reach agreement

1.3 The statement is intended to assist the Inspectors during the examination of the Plan.

2. Background

2.1 The Council and BDC have a long history of working positively together. Both Councils sit in the same sub-region, and are members of the same Local Enterprise Partnerships (and are expected to both be signatories to the Sheffield City Regions LEP Statement of Common Ground in the next few months). In relation to cross boundary issues and strategic matters, both Councils work together primarily as part of the North Derbyshire and Bassetlaw Housing Market Area. This work is progressed through the Local Plan Liaison Group, which is comprised of the 4 local authorities and 2 county councils in the Housing Market Area.

3. Agreed matters between the Council and BDC

3.2 Through the Local Plan Liaison Group the two authorities have collaborated and commissioned a number of key evidence base documents as work on their respective Local Plans has progressed. This culminated in a joint Housing Market Area (HMA) Statement of Common Ground (SCG1) signed in August 2018. The HMA wide Statement of Common Ground sets out the common evidence base documents
and agreed approaches to key cross boundary issues and strategic matters, for example in relation to the agreed distribution of housing within the HMA.

3.3 A second Statement of Common Ground was signed in September 2018 between Bolsover District Council, Chesterfield Borough Council, Derbyshire County Council, Highways England, and North East Derbyshire District Council (SCG8). This SoCG related to the cumulative impact of Local Plan Allocations across the North Derbyshire area on the operation of M1 Junction 30 and the A161/619 Treble Bob Roundabout.

3.4 Following the objections made by Bolsover District Council in relation to the protection of multi-user trails in the Publication Chesterfield Borough Local Plan, Chesterfield Borough Council is proposing the following modifications to the Plan:

Add the following criterion to Policy LP16: Green Infrastructure:

- h) Protect the Multi-User Trails network as shown on the Constraints Map (Or the Policies Map, if CBC puts their Multi-User Trails on Policies Map);
- Amend the Constraints Map to show the Multi-User Trails in the borough.

3.5 On the basis that the above modifications are made Bolsover District Council agree to remove their objections in relation to this issue.

4. Outstanding Matters (Areas of Disagreement)

Objections

4.1 Bolsover Council objected to the Chesterfield Local Plan at both Regulation 18 and Regulation 19 of The Town and Country Planning (Local Planning) (England) Regulations 2012 on the basis that it is unsound because it is inconsistent with national policy, does not meet the NPPFs definition of effective, and is not yet shown to be justified. These are set out in full in Bolsover District Council’s representation (see SD7).

4.2 The areas of disagreement relate to the allocations for development at two Regeneration Priority Areas at Duckmanton and Mastin Moor. Both sites are close to the borough/district boundary. Both sites are shown as delivering 400 dwellings. However, as shown on the policies map, both sites could accommodate considerably more dwellings (500 dwellings and up to 1,092 respectively if 70% of the sites were developed at 30 dpha) Chesterfield Borough Council acknowledge that the areas identified on the Planning Policies map for the two sites do have a larger capacity, but that this is to allow a masterplanned approach these developments in the light of their status as Regeneration Priority Areas. These areas are designated to maximise regeneration benefits for the existing communities in those areas.
4.3 Both of the sites are the subject of current planning applications. The application at Duckmanton is an outline for a residential led mixed use development comprising: 400 new homes; 300m² of commercial units; and 300m² of community rooms. It was submitted in June 2016, and is currently awaiting determination (CHE/16/00340/OUT).

4.4 The application at Mastin Moor is for 650 dwellings (including care and specialist accommodation), a local centre (including local retail, health facilities, other facilities and services), open space, community garden extension (including community building and parking) & associated infrastructure. It was submitted in June 2017, and is currently awaiting determination (CHE/17/00469/OUT).

Summary of the main objections and responses

4.5 The key reasons for Bolsover District Council’s objections are that two of the Regeneration Priority Areas could accommodate considerably more dwellings than the 400 dwellings identified as sites H34 and H35 at Table 4 of policy LP4 - Flexibility in the Delivery of Housing. They consider that as the impact of higher levels of growth have not been fully assessed, there is the potential that the development of the whole of the sites designated Regeneration Priority Areas as shown on the proposals map will give rise to unquantified infrastructure needs in Bolsover District.

4.6 The following areas have been identified by Bolsover Council in respect of infrastructure impacts:
   - The impact of the Mastin Moor Development on the GP Surgery in Barlborough in Bolsover district;
   - Secondary School Education;
   - Impact on M1J30 and the Treble Bob roundabout on the A616/A619.

The impact of the Mastin Moor Development on the GP Surgery in Barlborough in Bolsover district

4.7 **Main issues raised by Bolsover District Council:** Bolsover District Council has concerns relating to the impact of the proposed development at Mastin Moor, if the whole of the site shown on the proposals map is developed. Bolsover Council notes that Paragraph 10.17 of the Pre-Submission Local Plan acknowledges the usage of the GP surgery at Barlborough by Mastin Moor residents, and it would follow that greater development pressures would lead to increased usage, if alternative provision could not be achieved.

4.8 Page 79 of the Chesterfield Infrastructure Delivery Plan, records that there is concern over capacity at the Barlborough medical practice (a position confirmed by Bolsover’s Infrastructure Study and Delivery Plan), and that it is fast approaching saturation point as far as available clinical rooms are concerned, with almost no scope to reconfigure existing space. Appendix 1, page 99 explains that developers are required to pay £512 per dwelling towards provision. Bolsover Council is
concerned that it is not clear what this money would be able to secure or where; and that this should be addressed within the Plan.

4.9 **Response of Chesterfield Borough Council:** Chesterfield Borough Council has not received any objections from the Clinical Commissioning Groups (CCG). Chesterfield Borough Council has a *Statement of Common Ground* with the CCGs (SCG5) which sets out the areas of agreement and joint working on health infrastructure. In addition there have been no objections from the CCGs to the current planning application for 650 dwellings at Mastin Moor.

### Secondary School Education

4.10 **Main issues raised by Bolsover District Council:** Bolsover Council is concerned that as there is an uncertain level of development relating to the Regeneration Priority Area at Duckmanton (site H34) and this could impact on Secondary school places in Bolsover district.

4.11 In relation to future pupil numbers, page 61 of the Chesterfield Infrastructure Delivery Plan notes that site 247 Tom Lane, Duckmanton, and the smaller site 271 also in Duckmanton, fall within the catchment of Bolsover District; the nearest school being The Bolsover School, but there is no comment about how many pupils are projected to attend the school during the plan period or how the impact would be mitigated.

4.12 In 2016, comments from Derbyshire County Council (Education) to an undetermined planning application CHE/16/00340/OUT at Tom Lane, Duckmanton for 400 dwellings, commercial units and community rooms, referred to a need for a financial contribution of over a million Pounds for 60 secondary places at Bolsover School, yet such mitigation measures do not form part of the evidence base for the Local Plan.

4.13 In Bolsover District Council’s Infrastructure Study and Delivery Plan, it states that proposals for strategic growth in Bolsover (Paragraph 4.32) will require expansion of secondary phase provision. However, this requirement is planned to be facilitated through financial contributions via s106 contributions and where necessary DCC Core funding / academy funding. Bolsover Council consider that a similar statement, linked to evidence is required within Chesterfield Borough Council’s evidence base. This would ensure that the issue is addressed within the Plan now, rather than being deferred for future consideration.

4.14 **Response of Chesterfield Borough Council:** In Chesterfield borough school places are funded via Community Infrastructure Levy. The Education Authority is able to bid for funds as part of an annual expenditure process. The borough Council has not received any objections from the Education Authority (DCC), whom the Council has a *Statement of Common Ground* with (SCG6) which sets out the areas of agreement and joint working on education infrastructure. There is a current planning application for 400 dwellings at Duckmanton, to which there have been no objections from the Education Authority.
Impact on M1J30 and the Treble Bob roundabout on the A616/A619

4.15 **Main issues raised by Bolsover District:** Bolsover District Council has concerns that the work undertaken to date does not fully assess the impacts of development on this section of the highway network. Bolsover District Council carried out significant work on the impact of their Plan on these junctions to build upon the earlier Joint Cumulative Transport Study. This included commissioning the Clowne Transport Study (2017) which evaluates the impact of the Clowne Garden Village Strategic site on the road network. It concludes that one of the key transport issues is the accommodation of traffic to and from M1 Junction 30 along Oxcroft Way, and identifies mitigation measures to upgrade Junction 30 and the Treble Bob roundabout. Due to the date of this Study it did not include any allocations within Chesterfield’s Regulation 19 Pre-Submission Local Plan or sites without planning permission.

4.16 New development in Chesterfield Borough accessed off the A619 may also impact onto the Treble Bob roundabout before potentially also impacting upon Junction 30. Chesterfield Borough Council’s Infrastructure Delivery Plan (2019) refers to the Junction 30 issue as follows –

“2.60 The Borough Council will engage with Highways England, DCC and neighbouring authorities, Bolsover, through the Duty to Cooperate in order to better understand the full cumulative scale of development coming forward within the Chesterfield Local Plan. Assessment work is likely to be needed to determine an appropriate mitigation strategy for the junction.”

4.17 Therefore it appears that the Borough Council remain uncertain about the impact on Junction 30, not just from this site, but all of the allocations that might impact upon this junction. This paragraph would imply that issues have not been ‘dealt with’ yet, which is understandable given the earlier points over the lack of clarity over the level of development. However it is not unreasonable to expect the Borough Council to test for a range of development outcomes to ensure that its plan is both flexible and deliverable at the point of submission.

4.18 Chesterfield Borough Council were one of the signatories to a Statement of Common Ground (Oct 2018) signed in relation to the M1 Junction 30 used recently to inform both Bolsover District and North East Derbyshire District’s Local Plan Examinations. The position of Chesterfield Borough Council was (Paragraph 3.1 d) that “the impacts of the emerging Chesterfield Borough Local Plan were less certain but would be subject to future transport evidence base work.”

4.19 This would therefore again imply that the issue has not been dealt with because further evidence work is expected. Issues are therefore being deferred without knowing whether they can be dealt with or not.

4.20 **Response of Chesterfield Borough Council:** Growth at the RPAs was included in the Joint Cumulative Transport Study that BDC (and DCC and NEDDC) was party to,
which has been key evidence to support the preparation of all three respective Local Plans. The Council has not received any objections from the Highways Agency and there is a Statement of Common Ground (SCG8) signed in relation to the M1 Junction 30 used recently to inform both Bolsover District and North East Derbyshire District’s Local Plan Examinations. In this document it was agreed that:

‘the impacts from the emerging new Chesterfield Borough Local Plan are less certain at this stage but will be subject to future transport evidence base work which will be shared with Highways England, Derbyshire County Council and neighbouring authorities as they develop’

4.21 CBC has a SoCG with the Highway Authority Derbyshire County Council (SCG2) in which it is agreed that ‘the level of growth proposed in the Local Plan is not significantly different to that which was included in the 2011 Joint Cumulative Transport Study. In 2015 modelling was done to support the Staveley and Rother Valley Corridor proposals which also included potential growth of up to 650 dwellings at Mastin Moor’. It is also agreed that ‘The DCC transport model is being re-validated and updated during 2019/20 and will be available for use early 2020. It is agreed that the first review of the CBC Local Plan will be supported by an update of the cumulative study based on the DCC updated model. DCC is satisfied that, taken together, the existing transport evidence for CBC Local Plan provides sufficient evidence to understand and potentially mitigate the transport impacts of cumulative planned growth.’

4.22 There is a current planning application for 650 dwellings at Mastin Moor, to which there have been no objections from the Highways Agency or the Highway Authority.

5. On-going Cooperation and Liaison

5.1 It should be noted that in neither of its objections to the Chesterfield Local Plan at Regulation 18 and 19 has Bolsover District Council objected on the basis of a failure under the requirements of paragraph 33A (Duty to co-operate in relation to planning of sustainable development) of the Planning and Compulsory Purchase Act 2004 (as amended).

5.2 Both parties are committed to continuing to work together through regular liaison and specific working groups. Both authorities will continue to be consultees on future Local Plan work and Local Plan Reviews.
APPENDIX A: SIGNATORIES OF THE PARTIES

AUTHORITY

Chesterfield Borough Council

Officer  
Name: A. Morey  
Position: Strategic Planning Manager  
Signature:  
Date: 26/09/2019

Member  
Name: T. Gilby  
Position: Chair Local Plan Steering Group  
Signature:  
Date: 26/09/2019

Bolsover District Council

Name: D. Swaine  
Position: Chief Executive  
Signature:  
Date:

Name: T. Munro  
Position: Chair Planning Committee  
Signature:  
Date: