

**STATEMENT OF COMMON GROUND BETWEEN:
BROXTOWE BOROUGH COUNCIL & HARWORTH
ESTATES**



POLICY 4.1: LAND WEST OF AWSWORTH (INSIDE THE BYPASS)

BROXTOWE BOROUGH COUNCIL PART 2 LOCAL PLAN EXAMINATION


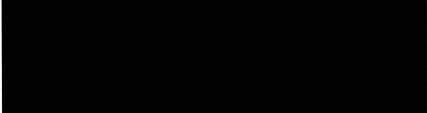
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SIGNATORIES

BROXTOWE BOROUGH COUNCIL STEFFAN SAUNDERS HEAD OF NEIGHBOURHOODS AND PROSPERITY	
PEGASUS PLANNING GUY LONGLEY EXECUTIVE DIRECTOR ON BEHALF OF HARWORTH GROUP	

Please note that the published version will be redacted

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1. EXECUTIVE SUMMARY:

There are no significant areas of disagreement that that would affect the delivery of housing within the expected timescale.

2. INTRODUCTION:

This Statement of Common Ground (SoCG) is between Broxtowe Borough Council (BBC) and Pegasus Planning the agents acting on behalf of Harworth Estates the landowners of the land west of Awsworth (inside the bypass) (Policy 4.1) allocation.

This SoCG relates solely to the proposed allocation of land west of Awsworth (inside the bypass) (Policy 4.1) in the Submission Version of the Part 2 Local Plan (CD/04).

3. ALLOCATION PROPOSALS:

Land west of Awsworth (inside the bypass) is proposed for allocation through the Policy 4.1 of the Publication Version of the Part 2 Local Plan (CD/01) (incorporating modifications as detailed in the Consultation Statement (CD/20) and set out in the Schedule of Main Modifications (BBC/02) that will be subject to consideration by the Inspector) for the following:

4. Key Development Requirements:

New Homes:

- 250 homes.

Connections and Highways:

- Provide safe pedestrian and cycle crossing points across the bypass towards Bennerley Viaduct.
- Provide walking and cycling routes through the site and enhance links to the wider network including to Ilkeston Railway Station.
- Enhance bus routes adjacent to the site.

Green Infrastructure:

- Enhance Green Infrastructure corridors including the Great Northern Path by linking Awsworth with Ilkeston / Cotmanhay via Bennerley Viaduct.
- Retain hedgerows and incorporate these into any landscaping scheme.
- Ensure that development protects and mitigates any negative impact on Common Toads should they be found on the site.

Heritage:

- Ensure that development maintains or enhances the setting of heritage assets including the Grade II* Listed Bennerley Viaduct and where possible contributes towards its conservation or enhancement.

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5. Key Development Aspirations;

1. Mitigate highways impact on the wider road network to ensure that congestion is not made worse than currently exists.
2. Vehicular access to the site will be from the bypass although more limited vehicular access is expected from Newtons Lane and Barlow Drive North (designed to deter 'rat-running').

All policies should be read in conjunction with the Local Plan Part 1 – Broxtowe Borough Aligned Core Strategy. No policy should be applied in isolation; account will be taken of all relevant policies.

6. Open Design Review (OPUN/01):

The Key Issues (as set out in the Executive Summary) were:

- Provision of a robust and comprehensive framework leading to a masterplan for the whole site based on an in-depth understanding of the site character and features Working in collaboration with Nottinghamshire County Highways to address the hostile and noisy environment of Shilo Way / A6096
- Connecting Bennerley Viaduct to the disused canal and station including the restoration of the viaduct
- Recognition of the disused canal as a non-statutory heritage asset
- Provision of an open space strategy for the site including both hard and soft landscaping i.e. proposed gateways, play space and green corridors.

7. DELIVERY

Generic delivery assumptions from the SHLAA which apply to all large sites (and have been subjected to consultation with the development industry) are as follows:

- 2 developers building on-site
- Maximum build-out of 110 market housing dwellings per year.
- Affordable housing can be delivered in addition to the market housing. Based on past average this would increase the build-out rate by 25 dwellings a year.
- Delivery would commence 3 years post grant of Outline permission (which allows for delay in getting detailed permission approved (including legal agreements), discharging conditions and undertaking preliminary works to the site before building can commence).

SITE LOCATION AND SIZE:
The site is a 12 hectare greenfield site located adjacent to the Key Settlement of Awsworth. The Key Settlement of Awsworth is one of the search areas considered appropriate for new development (in accordance with the Settlement Hierarchy as set out in Policy 2: The Spatial Strategy of the ACS) with an 'up to' distribution figure of 350 new dwellings.
CURRENT USE:
Predominantly agricultural use with two existing residential dwellings on the site.
OWNERSHIP:

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<p>The undeveloped part of the allocation where new housing is proposed is within single ownership.</p>		
<p>There are a number of existing dwellings within the allocation which are separately privately owned.</p>		
<p>SITE ACCESS AND HIGHWAYS IMPROVEMENTS:</p>		
<p>It is agreed that a safe access to the site can be achieved.</p>		
<p>The landowner (with support of the Parish Council) considers that the primary access should be from the Shilo Way. Nottinghamshire County Council (the Highways Authority) has stated that this should be a last resort. ADC Infrastructure on behalf of Harworth Estates has been in discussions with the Highways Authority on the arrangement for access from Shilo Way.</p>		
<p>PLANNING STATUS:</p>		
<p>No planning application submitted.</p>		
<p>REQUIRED INFRASTRUCTURE:</p>		
Infrastructure	Summary Assessment	Further Work
Contamination:	<p>Greenfield Site.</p> <p>The Environment Agency notes that this site is underlain by a Secondary Aquifer A. It is important that the water quality within the aquifer is protected and kept pollution free. In respect of this site which is predominantly greenfield, the Environment Agency would be concerned around the re-development of the Farm buildings. It is important that any land contamination issues associated with the farm buildings' previous usage are investigated and addressed prior to taking actions which could lead to the re-mobilisation of those contaminants into the aquifer.</p> <p><i>[Environment Agency comments within pre-March 2017 stakeholder meeting representations]</i></p>	<p>Further investigation may be required.</p>
Emergency Services:	No requirements identified.	Liaison with Nottingham West Clinical Commissioning Group necessary.
Flood Risk:	<p>The Lead Local Flood Authority notes that it does not have any issues in relation to this site. <i>[Nottinghamshire County Council comments within pre-March 2017 stakeholder meeting representations]</i>.</p> <p>Severn Trent response in relation to sewerage and surface water flooding: Surface Water from the development</p>	

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	<p>will be able to drain to a local watercourse. Foul water from the development will join a 225mm diameter combined sewer running across the development site. Flooding in a low return period is predicted downstream and there are pollutions recorded at Awsworth - A610 TPS. There are also a large number of flooding incidents upstream of the development in the south of Awsworth.</p>	
<p>Transport:</p>	<p>The highway authority, Nottinghamshire County Council, has stated a preference for not increasing the number of junctions along the A6096 Awsworth bypass. Public transport funding contributions for infrastructure and local bus service provision will be sought. Contributions to bus stop infrastructure will be required.</p> <p>Nottinghamshire County Council notes that the development should be designed in accordance with the 6C's Design Guide. <i>[Nottinghamshire County Council comments within pre-March 2017 stakeholder meeting representations]</i></p>	<p>Transport assessment and travel plan required. Highway mitigation and potential contributions to public transport to be agreed as part of S106 discussions.</p>
<p>Air Quality:</p>	<p>No issues have been identified.</p> <p>The site is not within an Air Quality Management Area (AQMA).</p>	<p>Mitigation (dependent upon detail of development).</p>
<p>Community Facilities:</p>	<p>Within representations to the 2017 Publication Consultation, the County Council stated that it will no longer be seeking contributions to library facilities as this cannot be presently justified with reference to library capacity and stock levels.</p>	<p>This would need to be subject to further consideration at the time of any planning application submission.</p>
<p>Education:</p>	<p>The limited number of dwellings proposed does not give rise to a realistic prospect of a new school. Contributions will still be required to address capacity issues at</p>	<p>Further discussion required with LA as part of the planning application process. This will require both authorities to work</p>

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	<p>existing schools. BBC Note: <i>This was discussed at a meeting between Broxtowe Borough Council and Nottinghamshire County Council on 24th July 2018 July which was arranged to discuss the provision of infrastructure to support the Part 2 Local Plan.</i></p>	<p>together to plan appropriate solutions.</p>
<p>Green Infrastructure Open Space:</p>	<p>The site is located to the south of GI Corridor 2.7 and the west of GI Corridor 1.2. The Green Infrastructure Strategy identifies opportunities for change and enhancement relating to the Corridors. Given the size of this development, there will be the need for on-site amenity open space which should include a children's play area (minimum standard LEAP). There is also the opportunity to enhance the existing sports and recreational facilities at 'The Lane Recreation Ground' and 'Shilo Recreation Ground', both of which are located relatively close to the proposed development site. There is no requirement for new sports facilities on the site. [<i>Broxtowe Borough Council Parks and Environment advice note, May 2017</i>].</p> <p>Opportunity for funding to assist with the restoration of Bennerley Viaduct and development of a cycle path along the viaduct, linking the site with Ilkeston and beyond. [<i>Sustrans comments during March 2017 stakeholder meeting</i>]</p>	<p>Further dialogue with Broxtowe Borough Council Parks & Environment required.</p> <p>Further discussion with Sustrans in relation to Bennerley Viaduct will be required.</p> <p>Opportunities for change / enhancement of GI Corridors will need to be addressed at the planning application stage.</p>
<p>Health:</p>	<p>Based on the multiplier of £551 per dwelling cost, the estimate for contributions is £137,750. [<i>Nottingham West Clinical Commissioning Group figures, April 2017</i>].</p>	<p>Further discussion with the Nottingham West Clinical Commissioning Group as part of the planning application process.</p>

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	<p>Nottingham West Clinical Commissioning Group response to 2017 Publication Consultation in relation to the sites proposed in Awsworth, Eastwood and Brinsley: Land for Medical Centre required. In order that the plan for Eastwood is effective and therefore sound, part of the Walker Street site must be allocated for a new, purpose built health facility to sit behind the existing library with direct access to the main road with its public transport links ensuring it is easily accessible to the community. A one acre site is required (GIA 2000m² of two or three storeys dependent upon meeting planning requirements). Direct vehicular access would be required to Walker Street if the site is also identified as the preferred site for a co-located blue light service base. Funding contributions should be sought for this development through Section 106 contributions.</p>	
<p>Utilities:</p>	<p>Electricity – No abnormal requirements. Gas – no abnormal requirements. Waste water – Please refer to ‘Flood Risk’ section. Water supply – no abnormal requirements anticipated. IT – No abnormal requirements.</p>	<p>Further discussion with Utilities providers required as part of planning application.</p>
<p>Waste, Recycling & Energy Management:</p>	<p>Recycling capacity at the Giltbrook Recycling Centre is generally sufficient. There is a severe shortage of space for additional dry recycling through the existing Waste Transfer Station (WTS) in Giltbrook. Any additional inputs / outputs to / from this WTS site will be constrained. Expansion would be difficult to achieve and</p>	<p>Liaison with Broxtowe Borough Council Waste & Recycling will be required.</p>

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	<p>so Nottinghamshire County Council would potentially be looking at developing a new WTS. Developer contributions to support that would be essential. <i>[Nottinghamshire County Council representations prior to March 2017 stakeholder meeting]</i></p> <p>Each dwelling will require space for 4 bins to be located at the property. <i>[Nottinghamshire County Council comments during March 2017 stakeholder meeting]</i></p>															
VIABILITY:																
<p>Evidence to inform the ACS (Three Dragons, Golland and GL Hearn) concluded that where very large sites are released (several hundred houses), these sites will have the potential to create their own market, which in many instances will exceed the prices being charged for new housing being on smaller sites.</p> <p>No viability issues raised by the applicant.</p>																
DELIVERY ASSUMPTIONS:																
<p>Representation to the publication version of the Part 2 Local Plan by Pegasus Group on behalf of Haworth Estates states that the site can largely be delivered in the 5 years period.</p>																
ASSISTING DELIVERY OF THE SITE:																
<p>The Council, Landowner and the Parish Council (Qualifying Body for the purpose of Neighbourhood Plan production) have met regularly to discuss progress and to try and resolve issues that have arisen.</p>																
HOUSING TRAJECTORY:																
11-12	12-13	13-14	14-15	15-16	16-17	17-18	18-19	19-20	20-21	21-22	22-23	23-24	24-25	25-26	26-27	27-28
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STEPS TO ACCELERATE DELIVERY FURTHER:																
<p>Remove site from the Green Belt.</p>																

8. MATTERS AGREED

All parties have agreed that the Key Development Requirements and Aspirations set out in Policy 4.1 and the housing trajectory included in the submission version of the Part 2 Local Plan (CD/04) (and shown above) are appropriate and achievable.

9. MATTERS CURRENTLY NOT AGREED

There are no matters currently in dispute.

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APPENDIX 1: CHRONOLOGY

- **November 2013:** Site included (in two parts) as 'could be suitable' in the Site Allocations Issues and Options consultation.
- **February 2015:** East of Awsworth was considered more important to be retained in the Green Belt and land to the West (inside the Bypass) was included as 'preferred option' in the Preferred Approach to Site Allocations: Green Belt Review consultation albeit that the site under consideration at the time was larger (19.52 hectares) than the site now currently allocated for development.
- **December 2015:** Awsworth Parish designated as a Neighbourhood Area (for the purpose of Neighbourhood Plan production).
- **October 2016:** Opun Design review.
- **November 2016:** Broxtowe held a site specific workshop with key stakeholders, which was informed by the findings of the Opun Design panel, to discuss how development of the site may progress. In brief, the access to the site should come from the bypass, potentially other access to the village but no consensus. Bypass improvements to slow the traffic and provide safe crossing points would be needed. Walking and cycling links should be delivered including across Bennerley Viaduct and to Ilkeston Station. Enhanced bus route required. Open space needed to the south east of the development, existing tree belt and hedgerows to be retained and provision of Linear Park to incorporating SuDs. Landscaping is needed to soften the impact of development. New development should integrate with the existing village. Mix of housing needed. Design of housing should incorporate the positive aspects of some of the older buildings in the village. Lack of medical facilities within the village and the school should be enlarged. Non-designated heritage assets should be considered.
- **March 2017:** Infrastructure Workshop.
- **June 2017:** Harworth and Awsworth Parish Council held a joint public consultation event at Awsworth Village Hall to outline proposals for development on the site and in the context of the preparation of the Awsworth Neighbourhood Plan. All households in Awsworth Parish were leafleted about the event and a dedicated website was set up to allow comments to be made online.
- **September 2017:** Publication Version of the Part 2 Local Plan published for 6 week public consultation: this site is included as a site allocation.
- **December 2017:** Cossall Parish designated as a Neighbourhood Area (for the purpose of Neighbourhood Plan production).
- **February 2018:** Awsworth Neighbourhood Plan Pre-Submission Consultation, draft plan supports housing development on this site (albeit proportionately as the site crosses Parish boundaries).
- **August 2018:** Plan Submitted to Secretary of State for Examination.