LOCAL PLAN FOR BOLSOVER DISTRICT

STATEMENT OF COMMON GROUND

AS AGREED BETWEEN

BOLSOVER DISTRICT COUNCIL

AND

DERBYSHIRE WILDLIFE TRUST
1) Purpose

1.1 The purpose of this Statement of Common Ground is to inform the Inspector and other parties about the areas of agreement between Bolsover District Council and Derbyshire Wildlife Trust on the following policies of the Local Plan submitted to the Secretary of State on the 31st August.

- Policies SS5: Strategic Site Allocation - Clowne Garden Village
- Policy SS6: Strategic Site Allocation - Former Whitwell Colliery Site
- Policy ITCR2: Multi User Trails Network
- Policy SS7: Priority Regeneration Site – Coalite.

2) Background

2.1 The Council set out its policies for the Clowne Garden Village and former Whitwell Colliery Strategic Site Allocations in its Publication Local Plan for Bolsover District in May 2018.

2.2 Derbyshire Wildlife Trust’s representations raised objections about the soundness of the wording of policies SS5, SS6, SS7 and the appropriateness of two Multi User Trails under policy ITCR2 which can be summarised as:

- Policy SS5: Strategic Site Allocation - Clowne Garden Village. The policy under (m) should be strengthened by amending it to read as follows:- “Contribute towards conserving and enhancing the biodiversity of the District through the protection and incorporation of existing hedgerows, woodlands, wetlands and grasslands within the site’s general layout, design and orientation;” (representation ref. 8589);

- Policy SS6: Strategic Site Allocation - Former Whitwell Colliery Site. Derbyshire Wildlife Trust are concerned about the proposed development and the impact this will have on biodiversity. The development of Whitwell Colliery will have an adverse impact on biodiversity including UK BAP habitat and species. A Local Wildlife Site is present within the footprint of the site and looks likely to be lost as part of the development. The LWS supports species rich grassland within an ‘open mosaic’ of grassland, bare ground and scrub. These habitats are also found elsewhere within the site. UK BAP priority butterflies, moths and birds are present within the site. Clearly any development of the site will need to demonstrate that there is a net gain to biodiversity that fully offsets the loss of the existing habitats. The proposed future restoration of the site to a Country Park provides this opportunity, but this needs to be fully underpinned by the policy and any planning guidance produced by BDC. The Country Park must incorporate substantial gains for wildlife through the creation of flower rich open habitats, wetlands, scrub and woodland. We would suggest that the policy under (i) is strengthened to read as follows:-

“Contribute towards conserving and enhancing the biodiversity of the District through the protection and incorporation of existing hedgerows and woodlands and the creation and enhancement of open flower rich grassland, wetland and scrub habitats within the site's general layout, design and orientation;”
The full biodiversity objectives and details of how restoration and the creation of the Country Park must achieve a net gain overall should be developed within the Supplementary Planning Document should include a new criterion to require a detailed site investigation and remediation report due to the historic use of the site and the underlying principle aquifer (representation ref. 8590).

- **Policy SS7: Priority Regeneration Site – Coalite.** The Supplementary Planning Guidance needs to consider the impact of the development on biodiversity and ensure that habitat creation and enhancement is delivered as part of the overall development such that no net loss of biodiversity occurs. (representation ref. 8591)

- **Policy ITCR2: Multi User Trails Network.** Whilst Derbyshire Wildlife Trust generally support the policy on Green Networks we have concerns regarding the construction of multi-user tracks (20 and 21) through two Local Wildlife Sites located between Clowne and Creswell (BO096 and BO098). These sites are extraordinarily rich in wild flowers, butterflies and other wildlife and would be adversely impacted by construction of 3m wide tracks. Whether it is absolutely necessary to a) have both routes where possibly one would do and b) for them to be 3 metres wide should be scrutinised. We would advocate that the fragile nature of these sites as linear wildlife havens is at the forefront of thinking on the development of these route-ways as effective and meaningful mitigation, enhancement and compensation is likely to be needed to avoid a net loss in Biodiversity.

Note: Representation references refer to the unique reference within the Council’s JDi consultation database system.

2.3 Agreement between the Council and Derbyshire Wildlife Trust has been reached on the following modifications (as relevant text to be deleted shown as strikethrough and new text to be inserted shown in bold):

- **Policy SS5: Strategic Site Allocation - Clowne Garden Village**

m) Contribute towards conserving and enhancing the biodiversity of the District through the protection and incorporation of existing hedgerows, and woodlands, wetlands and grasslands within the site’s general layout, design and orientation

- **Policy SS6: Strategic Site Allocation - Former Whitwell Colliery site**

i) Contribute towards conserving and enhancing the biodiversity of the District through the protection and incorporation of existing hedgerows, and woodlands, watercourses and the creation and enhancement of open flower rich grassland, wetland and scrub habitats within the site’s general layout, design and orientation.

2.4 Agreement between the Council and Derbyshire Wildlife Trust has also been reached on the other two Derbyshire Wildlife Trust representations, whereby
even though the Council is not proposing modifications to the plan, the issues will be addressed in other ways as explained in the Council’s responses below.

ITCR2: Multi User Trails Network (8597)

The proposed Multi user trails reflect the Derbyshire County Council approach to improving such facilities. One of the Proposed Multi-User routes, Clowne branch Line from Gypsy Lane, Creswell to Seymour Junction has planning permission and the impact on Biodiversity would have been considered as part of that application. The same considerations would take place should an application be submitted for the other route. Copies of the concerns have been passed to the relevant section at DCC.

SS7: Priority Regeneration Area – Coalite (8591)

It is accepted that these issues are important and addressed by criteria within the policy. However, there is no suggestion of a Supplementary Planning Document for this site at present.

3) Areas of Common Ground

3.1 Bolsover District Council and Derbyshire Wildlife Trust agree that:

- The modifications proposed by Bolsover District Council stated above address the concerns of Derbyshire Wildlife Trust raised in their representations ref. 8589 and 8590.
- Representations 8591 and 8597 have been addressed to the satisfaction of the Derbyshire Wildlife Trust.

4) Conclusion

4.1 Based on the stated areas of common ground, the Derbyshire Wildlife Trust agree that their representations in respect of the Publication Local Plan for Bolsover District have been addressed and can be withdrawn subject to the modifications stated above being made to the Plan.

4.2 Based on the Council’s responses to the other representations the Derbyshire Wildlife Trust agree that whilst not modifying the plan, the Council have addressed the representations to the satisfaction of the Derbyshire Wildlife Trust, and that the representations, 8591 and 8597 can be withdrawn.
AGREEMENT

Signed:

Dan Swaine, CEO
On behalf of Bolsover District Council

Cllr Tom Munro, Chair of Planning Committee
On behalf of Bolsover District Council

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Kieron Huston
On behalf of the Derbyshire Wildlife Trust

Dated: 20th December 2018