LOCAL PLAN FOR BOLSOVER DISTRICT

STATEMENT OF COMMON GROUND

AS AGREED BETWEEN

BOLSOVER DISTRICT COUNCIL

AND

HARDWICK NOMINEES LTD
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 Hardwick Nominees Ltd in relation to allocation p) Land at Croftlands Farm, of policy LC1: Housing Allocations of the Local Plan for Bolsover District submitted to the Secretary of State on the 31st August 2018.

2) Background

2.1 The land at Croftlands Farm housing site allocation is approximately 3.14 hectares in size and is situated to the north of Pinxton. It is currently used for grazing horses by two tenants (Mrs Beverley Swinscoe and Mrs Lynn Newmann) with one month periods of notice for cessation of this use.

2.2 Based on submissions to the Council throughout the period of preparation of the Local Plan for Bolsover District, the Council was able to assess the availability, suitability and achievability of the proposed allocation.

2.3 This assessment estimate that the site could:

   a) Deliver approximately 50 dwellings between 2022 and 2024;
   b) Leave a substantial open break to the A38;
   c) Contribute to increasing the capacity of local schools and the GP surgery;
   d) Improve greenway connections through the site;
   e) Contribute to the provision of affordable housing.

2.4 The Council’s published Residential Land Availability Assessment (October 2017) concluded that “the site is available, possibly suitable, with a reasonable prospect of development within 6-15 years. Therefore, the site could be considered for allocation within the emerging Local Plan, depending on the Important Open Area review”.

2.5 Based upon the Council’s proportionate evidence base and the findings of the Sustainability Appraisal Report, the Council approved the allocation of land at Croftlands Farm in April 2018 and set out its policy for the allocation in its Publication Local Plan for Bolsover District in May 2018.

2.6 In parallel to the plan-making process, an outline planning application was submitted to the Council in August 2017 for the allocated site for residential development of up to 65 dwellings. The application area included:

   a) land along the frontage with Alfreton Road not currently forming part of the proposed allocated area
   b) some land to the west intended to form public open space and a cycle / pedestrian route through to Storth Lane.

2.7 Following careful assessment of the benefits and adverse impacts of the proposed development, on 21st November 2018 the Council’s Planning Committee resolved to approve the application subject to a number of conditions and signing of a S106 Agreement. Further to this, the agreed Heads of Terms of the S106 Agreement
were updated at the Council’s Planning Committee on 19th December 2018 in order to include a financial contribution to increase primary health care capacity following a late consultation response from the relevant Clinical Commissioning Group. Based on this, it is now expected the S106 Agreement will be signed and application determined by March 2019.

2.8 Further to the above points, Ben Hunt Planning Limited have on behalf of Hardwick Nominees Ltd provided the following housing delivery trajectory for the site:

<table>
<thead>
<tr>
<th>Year</th>
<th>Cumulative No. Homes</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018/2019</td>
<td>0</td>
</tr>
<tr>
<td>2019/2020</td>
<td>0</td>
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<tr>
<td>2020/2021</td>
<td>0</td>
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<tr>
<td>2021/2022</td>
<td>0</td>
</tr>
<tr>
<td>2022/2023</td>
<td>25</td>
</tr>
<tr>
<td>2023/2024</td>
<td>50</td>
</tr>
<tr>
<td>2024/2025</td>
<td>65</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>65</strong></td>
</tr>
</tbody>
</table>

2.9 Underpinning this delivery trajectory are the following progress milestones:

- August 2017 – Outline planning application submitted
- November 2018 – Outline planning application considered by Council’s Planning Committee and resolution to approve subject to a number of conditions and signing of a S106 Agreement
- January 2019 – Commencement of informal marketing of site
- March 2019 – S106 Agreement signed and Decision Notice issued
- March 2019 – Formal notice given to equestrian tenants to cease use
- March to September 2019 – Formal marketing period
- April 2019 – Equestrian tenants cease use of land
- Autumn 2019 – Preferred house builder selected and contracts signed
- Summer 2020 – Reserved matters application submitted
- Winter 2020 – Reserved matters application determined
- Summer 2021 – Start made on site
- By March 2023 – 25 dwellings completed on site

2.10 The Council has considered the provided information and has reached agreement on a large number of matters which are set out below.

3) Areas of Common Ground

3.1 Bolsover District Council and Hardwick Nominees Ltd agree that clear evidence exists to demonstrate that the allocation of land at Croftlands Farm, Pinxton under policy LC1: Housing Allocations of the Local Plan for Bolsover District provides for a proposed allocation that is:

- justified and appropriate in terms of the likely impacts of development;
- deliverable and developable in accordance with the Council’s updated housing trajectory;
- not subject to any outstanding or unaddressed constraints;
- that the allocation can deliver up to 65 dwellings.

3.2 Bolsover District Council and Ben Hunt Planning Limited and Hardwick Nominees Ltd also agree that clear evidence exists to demonstrate that the land at Croftlands Farm site can be considered deliverable when assessed against paragraph 73 of the new NPPF (as supported by the definition of ‘Deliverable’ contained in new NPPF’s Annex 2: Glossary and the guidance within the Planning Practice Guide in Paragraph: 036 Reference ID: 3-036-20180913 (published on the 13th September 2018)). In support of this judgement, the following assessments have been made against the following criteria prescribed by the new NPPF: -

- **Availability** - The site is available for residential development now subject to short notice periods for existing equestrian tenants. Hardwick Nominees Ltd have a controlling interest in the site and by virtue of the resolution to grant the outline planning application are demonstrating their intention to bring the site forward for residential use.

- **Suitability** – The site is situated in a sustainable location and the Housing Land Availability Assessment concluded that the site is possibly suitable for the proposed allocation. The resolution to approve the outline planning application for the site also demonstrates the site’s suitability for residential development and the submitted technical evidence in support of the planning application also confirms that there are no environmental or technical constraints that would preclude the development of the site.

- **Achievability** – The site represents an achievable residential development site. The Housing Land Availability Assessment concluded that the site had a reasonable prospect of development within 6-15 years. Since that assessment, progression of an outline planning application to a resolution to grant and the provided milestones demonstrate that there is a realistic prospect that the site can deliver at least 25 new homes within the next 5 years.

4) Conclusion

4.1 Based on the stated areas of common ground, Bolsover District Council and Hardwick Nominees Ltd agree that the allocation of land at Croftlands Farm, Pinxton under policy LC1: Housing Allocations of the Local Plan for Bolsover District is positively prepared, justified, effective and consistent with national policy.
AGREEMENT

Signed:

Dan Swaine, CEO  
On behalf of Bolsover District Council

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

Mr Stephen Rye  
On behalf of Hardwick Nominees Ltd

Dated:  4th January 2019