

Mansfield District Council
Mansfield Local Plan 2013 - 2033

**Duty to Cooperate Summary
Statement**

September 2018



**Mansfield
District Council**

Background

Mansfield District Council (MDC) is preparing a Local Plan which will set a blueprint for development in the District between 2013 and 2033.

The Localism Act 2011 introduced a 'Duty to Cooperate' which requires Mansfield District Council to engage with certain 'Prescribed Bodies'¹ on 'strategic planning matters'² when developing its Local Plan.

In addition, the revised National Planning Policy Framework (July 2018) stated that, in order to demonstrate effective and on-going joint working, Planning Authorities should prepare and maintain one or more 'Statements of Common Ground', documenting the cross-boundary matters being addressed. The purpose of 'Statements of Common Ground' are to inform the Inspector of the Mansfield Local Plan and other parties about the areas of agreement between the District Council and key partners on Strategic Matters.

This paper summarises the key partners, issues and process relating to the Duty to Cooperate in the context of the emerging Mansfield Local Plan. Mansfield District Council will be producing a full Duty to Cooperate Statement and a series of Statements of Common Ground to accompany the submission version of the Local Plan.

Duty to Cooperate Partners

Mansfield District Council has sought to engage with key organisations (prescribed bodies) on an ongoing basis from the early stages of Local Plan development. The organisations that have been engaged include: Housing Market Area partners³, Nottinghamshire County Council⁴, Neighbouring Local Planning Authorities (outside of the Housing Market Area⁵), Highways England, Historic England, the Environment Agency and Mansfield & Ashfield Clinical Commissioning Group.

Strategic Matters

Strategic Matters are defined as:

“sustainable development or use of land that has or would have a significant impact on at least two planning areas, including (in particular) sustainable development or use of land for or in connection with infrastructure that is strategic and has or would have a significant impact on at least two planning areas...”

The 'Strategic Matters' form the basis of Duty to Cooperate discussions and Statements of Common Ground.

¹ The prescribed bodies are set out in The Town and Country Planning (Local Planning) (England) Regulations 2012 (Part 2, Regulation 4)

² As defined in Section 33A (4) of the Planning and Compulsory Purchase Act 2004 (as inserted by section 110 of the Localism Act)

³ Ashfield District Council and Newark & Sherwood District Council

⁴ In its capacity as Minerals & Waste authority, Local Highway Authority and Local Education Authority

⁵ Including Bassetlaw District Council and Bolsover District Council.

In the context of the Mansfield Local Plan, the Strategic Matters that have been identified are:

1. Identifying the appropriate 'Housing Market Area' and distribution of housing;
2. Identifying the appropriate 'Functional Economic Market Area' (FEMA);
3. Meeting the 'Full Objectively Assessed Housing Need' during the plan period including Sustainable Urban Extensions and other allocations;
4. Working with partners to identify Gypsy & Traveller sites to meet identified need;
5. Identifying sufficient land to meet employment land needs in Mansfield District and contributing toward the FEMA during the plan period;
6. Delivering the appropriate amount of retail floorspace to meet identified needs;
7. Providing the social infrastructure necessary to support proposed levels of growth – such as health and education provision;
8. Providing the transport infrastructure required to support proposed levels of growth (including securing mitigation and encouraging modal shift to avoid severe adverse impacts);
9. Protecting important heritage assets; and
10. Protecting important natural environment features.

Evidence base

The Council has a comprehensive evidence base that has helped to inform the policies and proposals within its emerging Local Plan and helped to inform Duty to Cooperate discussions. Evidence has been gathered in relation to: Housing; Employment; Retail; Transport; Natural Environment & Green Infrastructure; Built & historic environment; infrastructure provision; and viability.

In some cases, joint evidence has been gathered with key partners, including the 'Strategic Housing Market Area Assessment' (SHMA) and 'Employment Land Forecasting Study'. Other evidence has been gathered in accordance with methodologies and protocols between by DtC partners.

Actions

Some of the key actions undertaken as part of the Duty to Cooperate were:

1. Focussed meetings with DtC partners⁶ regarding strategic matters⁷;
2. E-mail and telephone exchanges with DtC partners;
3. Agree protocols and consistent approaches for some evidence gathering; and
4. Jointly prepare 'Statements of Common Ground';

⁶ HMA partners, Neighbouring Local Planning Authorities, Nottinghamshire County Council, Historic England, Mansfield & Ashfield Clinical Commissioning Group,

⁷ Housing and employment requirements; Gypsy & Traveller accommodation; Retail development; Transport; Flooding; heritage assets and infrastructure provision.

Outcomes

Some of the key outcomes of the Duty to Cooperate were:

1. Identification of the most appropriate Housing Market Area;
2. Identification of the most appropriate Functional Economic Market Area;
3. Identifying the Objectively Assessed Need for Housing⁸;
4. Agreeing an approach to meeting the needs of Gypsies & Travellers;
5. Agreeing an approach to the provision of employment land and retail floorspace;
6. Identification of necessary social infrastructure including Primary Health facilities and schools;
7. Agreeing an approach to address transport impacts of proposed development;
8. Securing agreement from Historic England on an appropriate policy approach to protecting heritage assets; and
9. A series of 'Statements of Common Ground' with DtC partners to be submitted to the Secretary of State as part of the examination.

It is important to acknowledge that full agreement has not been reached by all partners on all issues and engagement with some DtC partners is ongoing. Where common ground cannot be established, this will be identified as an 'Area of disagreement' in the Statement of Common Ground'.

Governance

The Governance and working arrangements with DtC partners depend on the nature of the Strategic matter. The majority of day to day engagement with Duty to Cooperate partners is through meetings, e-mail exchanges and telephone discussions between Officers.

A more formalised structure of Governance exists between the Housing Market Area (HMA) partners of Mansfield, Ashfield and Newark & Sherwood District Councils. A Memorandum of Understanding (MoU) and Statement of Common Ground have been signed that set out the agreed Governance structure, behaviour and approach to addressing some key issues. This includes an agreement to meet the identified needs for housing and employment in each of the respective authorities within the HMA. The agreement also requires ongoing monitoring to respond to changing circumstances.

The signed 'Statements of Common ground' with all DtC will be kept under review and updated / amended as and when required in response to changing circumstances. The MoU signed by the HMA partners contains an agreement to monitor key issues, including the delivery of development.

⁸ Until superseded by the Standardised Methodology promoted in NPPF 2018.

Audit trail of key decisions and processes

The audit trail of key decisions and processes relating to the strategic planning matters will be set out in detail in the Duty to Cooperate Statement to be submitted alongside the Local Plan.

In summary, evidence of cooperation with key partners exists in the form of:

- Signed Statements of Common Ground;
- A series of meeting notes with partner organisations; and
- E-mails and letters concerning strategic matters.

Summary

Mansfield District Council has engaged with the appropriate 'Prescribed Bodies' on the 'Strategic Planning Matters' contained within the emerging Mansfield Local Plan. Engagement has been ongoing from the start of the plan preparation. Duty to Cooperate discussions have been a consideration in the development of the policies, supporting explanatory text and Infrastructure Delivery Plan contained within the publication version of the Local Plan.

A key outcome of discussions is the production of 'Statements of Common Ground' which have been agreed between Mansfield District Council and key partners.

A full 'Duty to Cooperate Statement' and full set of 'Statements of Common Ground' (including areas of disagreement) will be sent to the Secretary of State when the Local Plan is submitted for examination.