



**Mansfield  
District Council**

**Mansfield District Council  
Mansfield Local Plan (MLP)  
Statement of Common Ground  
As agreed between  
Mansfield District Council and  
Historic England  
Reference: SoCG MDC/ HE  
Date 14 December 2018**



## **1. Introduction**

- 1.1 This Statement of Common Ground (SoCG) has been developed in order to address Strategic Planning issues between the parties consisting of Mansfield District Council (MDC) and Historic England (HE). The parties have identified Strategic Planning matters and the approach of the respective parties in addressing these.
- 1.2 The Statement sets out the confirmed points of agreement between the parties with regard to:
- The wording of Local Plan policy H1 that seeks to conserve and enhance the district's heritage assets and their settings;
  - Potential changes to the wording of: paragraph 11.4 BP6 'Buildings at Risk'; policy H2d Three Thorn Hollow Farm; policy SUE2 'Land off Jubilee Way'; and amended wording accompanying Masterplans for proposed Strategic sites;
  - The evidence required to support proposed Sustainable Urban Extension allocations at Pleasley Hill Farm, Land off Jubilee Way and Three Thorn Hollow and associated Heritage Impacts; and
  - The acceptability of evidence gathered in relation to small allocations of land which are proposed to be allocated in the Local Plan and which do not have the benefit of planning permission<sup>1</sup>.
- 1.3 The purpose of the Statement of Common Ground is to inform the Inspector of the Mansfield Local Plan and other parties about the areas of agreement between Mansfield District Council and Historic England in relation to key strategic matters contained in the Mansfield District Local Plan (2013-2033). The agreement has been in a consideration in the development of the proposed allocations, policy wording and supporting explanatory text within the plan.

## **2. Background**

- 2.1 Mansfield District Council is a public body which is the Local Planning Authority (LPA) for its administrative area. Historic England is a public body that helps people care for, enjoy and celebrate England's historic environment. Both are 'Prescribed Bodies' for the purposes of the Duty to Cooperate.
- 2.2 During development of the Mansfield Local Plan, Historic England has made representations which have informed the proposed allocations and policies. The development of the plan has been enhanced by engagement with HE

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<sup>1</sup> Debdale Lane; Sherwood Rise, and Highfield Close;

which helped to ensure that strategic issues and matters are appropriately addressed.

- 2.3 This Statement of Common Ground reflects the agreed position between Mansfield District Council and Historic England for submission to the Inspector for the Local Plan Examination of the Mansfield Local Plan.

### **3. Areas of Common Ground**

#### **3.1 The wording of the 'Historic Environment' policy HE1**

- 3.1.1 The draft wording of the Council's Historic Environment policy emerged from the 'vision' promoted in the Mansfield Local Plan – Preferred Options. Discussions have been held between Mansfield District Council and Historic England which have helped to refine policy HE1.

- 3.1.2 The parties have agreed that:

- 3.1.3 The policy wording should be consistent with the terminology contained within the National Planning Policy Framework insofar as it refers to 'heritage assets' and 'their settings' being 'conserved' and 'enhanced'.

- 3.1.4 Reference to 'heritage assets' includes both 'designated' and 'non-designated' assets.

- 3.1.5 The proposed wording of Policy HE1 (Heritage Assets) policy (attached as Appendix 1) has been developed jointly by MDC and Historic England and is considered acceptable in seeking to protect heritage assets.

#### **3.2 Policies for the proposed Sustainable Urban Extensions at Pleasley Hill Farm & Land off Jubilee Way and allocation at and Three Thorn Hollow**

- 3.2.1 Three key sites that are proposed to be allocated in the emerging Mansfield Local Plan have been identified as having the potential to result in adverse impacts on non-designated archaeological artefacts. HE confirmed that further evidence gathering was required before development can be considered acceptable in relation to land at Pleasley Hill Farm and that a 'Written Scheme of Investigation' would be required for 'Land off Jubilee Way' and 'Three Thorn Hollow'.

- 3.2.2 The parties have agreed that:

- 3.2.3 Further geophysical survey work is required by the site promoters at Pleasley Hill Farm. The survey work will be carried out at the earliest opportunity following the harvesting of crops from the site in late summer / autumn 2018.

The additional geophysical survey will be carried out in advance of the Local Plan being 'submitted' for examination and is required in order to provide evidence of the potential for underground non-designated heritage assets. The proposed policy SUE1 requires field evaluation prior to determining a planning application. This is considered an acceptable approach in seeking to evaluate potential heritage assets at Pleasley Hill Farm.

- 3.2.4 A Written Scheme of investigation (WSI) is required by Policy SUE 2 for 'Land off Jubilee Way'. HE has suggested some alternative wording in relation to the policy and the timing of conducting the WSI which MDC consider acceptable.
- 3.2.5 Policy H1(d) requires development at 'Three Thorn Hollow' to be subject to an 'Appropriate Archaeological Assessment'. Historic England has requested that the policy specifically refers to a WSI and that this is required in advance of determining a planning application on the site. This is acceptable to MDC. Amended wording has been proposed following further discussions between HE and MDC and is acceptable to both parties. These are set out in Appendix 2.
- 3.2.6 The policies and proposed amendments associated with Pleasley Hill Farm, Land off Jubilee Way and Three Thorn Hollow allocations are a proportionate approach to balancing development needs whilst adequately protecting designated and non-designated heritage assets.
- 3.2.7 The Heritage Impact Assessment 2018 provides an appropriate evidence base for assessing the impacts of proposed growth on heritage assets.

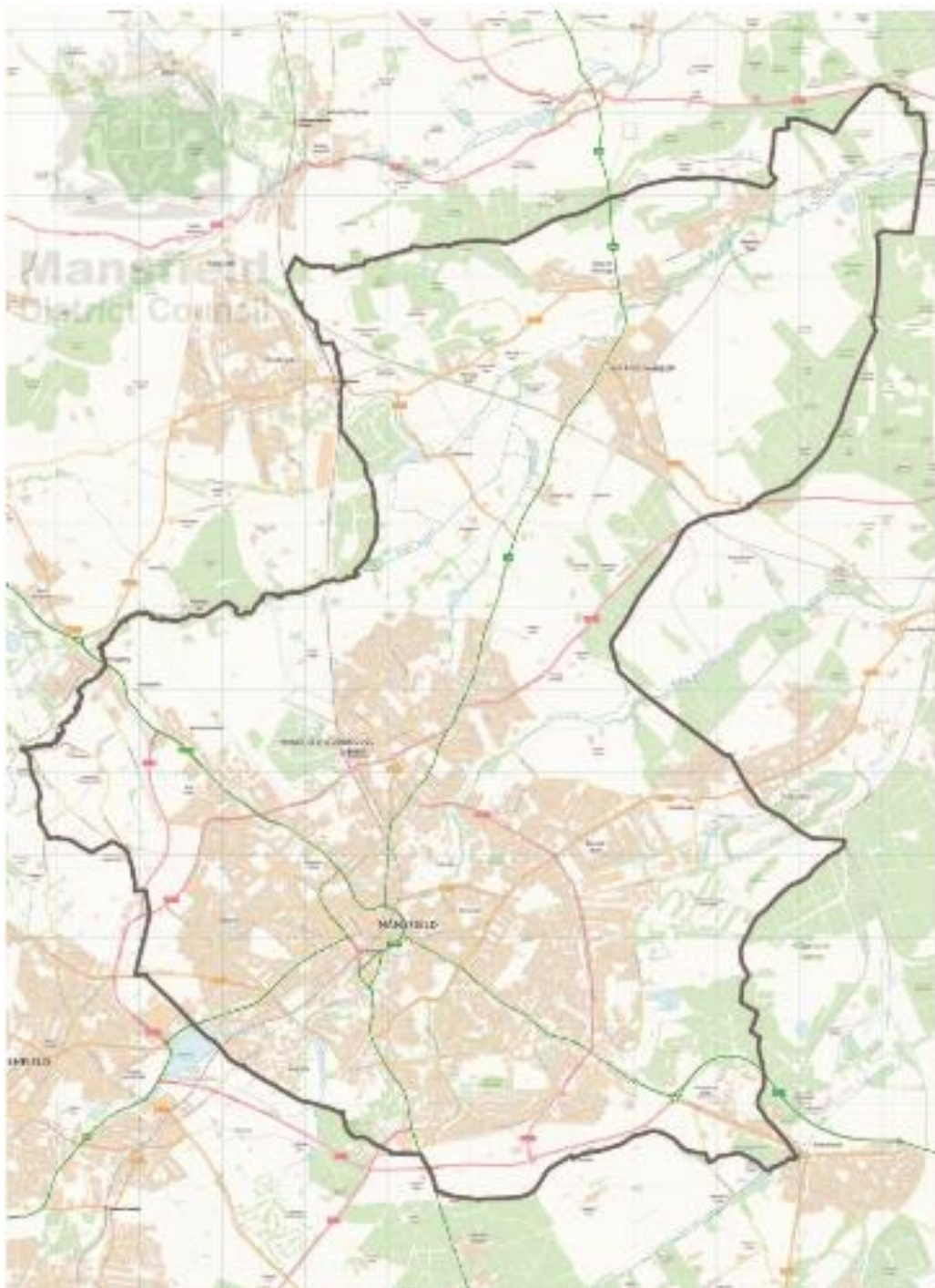
### 3.3 Evidence base for small allocations

- 3.3.1 The revised and updated version of the Heritage Impact Assessment is the appropriate evidence base for the proposed allocations and policies in the emerging Mansfield Local Plan.
- 3.3.2 The evidence contained in the Heritage Impact Assessment indicates that the housing, employment and other allocations<sup>2</sup> proposed in the Mansfield Local Plan, other than the three sites referred to in section 3.2 above, are capable of being developed without any material adverse impacts being identified. Where adverse impacts are identified these are capable of being mitigated.

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<sup>2</sup> Which do not already have the benefit of planning permission.

Map of Strategic Area (Mansfield District)



AGREEMENT

Signed on behalf of Mansfield District Council



Hayley Barsby

Chief Executive

Dated: 14 December 2018

Signed on behalf of Historic England

A handwritten signature in cursive script, appearing to read 'RW'.

Rosamund Worrall

Historic Environment Planning Adviser

Dated: 7 December 2018

## Appendix 1 – Policy HE1 (Mansfield Local Plan Publication Version 2018)

### Policy HE1

#### Historic environment

1. As part of ensuring the conservation and enhancement of Mansfield district's historic environment, where a development proposal would affect the significance of a heritage asset (whether designated or non-designated), including any contribution made to its setting, it should be informed by proportionate historic environment assessments and evaluations (such as heritage impact assessments, desk-based appraisals, field evaluation and historic building reports) that:
  - a. identify all heritage assets likely to be affected by the proposal;
  - b. explain the nature and degree of any effect on elements that contribute to their significance and demonstrating how, in order of preference, any harm will be avoided, minimised or mitigated;
  - c. provide a clear explanation and justification for the proposal in order for the harm to be weighed against public benefits; and
  - d. demonstrate that all reasonable efforts have been made to sustain the existing use, find new uses or mitigate the extent of the harm to the significance of the asset; and whether the works proposed are the minimum required to secure the long term use of the asset.
2. Development proposals affecting conservation areas will be permitted where they make a positive contribution to the character, distinctiveness and appearance of the conservation area and its setting, and preserve or enhance its significance, including settlement patterns, important buildings, important spaces, landscapes, walls, trees and significant views within, into and out of the conservation area.
3. Development proposals affecting listed buildings, scheduled monuments or registered parks and gardens will be permitted where they conserve the heritage asset(s) and their settings.
4. Development affecting non-designated heritage assets (including those identified through the planning process and archaeological sites) will be considered according to the significance of the asset and the contribution that setting makes to the significance; development involving loss will be resisted unless public benefits have been satisfactorily demonstrated that would outweigh the loss. Where development proposals are likely to affect non-designated archaeological sites, including sites with archaeological potential, the developer should submit sufficient information to allow the significance of the potential archaeological remains and the impacts of the proposals to be understood. Appropriate measures should be taken to ensure the protection of archaeological sites in-situ.



Appendix 2 – Proposed amendments agreed by both parties

Policy / Para.	Historic England Comments	Mansfield District Council Response	Agreed Position
para 11.4 BP6	'Buildings at Risk' should read ' <b>Heritage at Risk</b> '	Non-material amendment	Wording to be changed as a non-material amendment
Policy H2d Three Thorn Hollow Farm	Proposed wording change: <b><i>“Any development proposal would need to be supported by a detailed desk based assessment and the results of a staged pre-determination programme of archaeological investigation on the basis of an approved Written Scheme of Investigation”</i></b>	The policy as submitted refers to an appropriate archaeological assessment. Specific reference to a WSI adds clarity to the form of 'appropriate' assessment.	If the Inspector is minded to propose an amendment to the wording it would be supported by both parties.
Policy SUE2 Land off Jubilee Way	The WSI approach should be required as part of the development proposal at application stage.	Amending SUE2 criteria 4 to clarify wording in terms of requiring a pre-determination evaluation to <b><i>“Any development proposal would need to be supported by a detailed desk based assessment and the results of a staged pre-determination programme of archaeological investigation on the basis of an approved Written Scheme of Investigation.”</i></b>	If the Inspector is minded to propose an amendment to the wording it would be supported by both parties.
Appendix 8 - Masterplans: specifically A8.1, A8.2, and A8.6	The Masterplans cannot be sound in respect of the historic environment since it is not known at this stage whether any areas may be undevelopable due to the potential for archaeology.	The text accompanying masterplans could be amended to state: <b><i>“The Masterplans are for indicative purposes only and are expected to be subject to alteration following a full detailed assessment of site opportunities and constraints (including archaeological evaluation)”</i></b>	If the Inspector is minded to propose an amendment to the wording it would be supported by both parties.