

Statement of Common Ground

Bolton Metropolitan Borough Council and Peel L&P Investments (North) Limited

Places for Everyone: Policy JP Allocation 5 Chequerbent North

16 January 2023

Introduction

1. This Statement of Common Ground (SoCG) has been jointly prepared by Bolton MBC on behalf of GMCA and Peel (together 'the parties') in respect of Issue 16.2 and the proposed draft allocation JPA5 Chequerbent North.
2. The parties have respectively submitted Matter Statements (M16.1 and M16.4 GMCA and Peel respectively) in response to this Issue. An SoCG relating to the draft allocation dated 27th April 2022 [GMCA1.2] is before the Inspectors. This SoCG is intended to bring the Inspectors up to date on matters of agreement between the parties.

Matters of agreement

3. As reflected in the respective Matter Statements, the parties are in broad agreement as to the answers to Inspectors questions 16.7 – 16.10 and 16.13.
4. In respect of the other Inspectors questions posed and where there were differences in the respective positions, the parties clarify this as follows.

Q16.8 Would policy JPA5 be effective in ensuring that the proposed Green Belt boundaries around the Chequerbent North allocation are clearly defined using physical features that are readily recognisable and likely to be permanent?

5. In relation to 16.8 an additional modification (see GMCA Matter Statement M16.1 paragraph 16.24) is proposed to deal with a typographic error, which the parties agree is appropriate, as follows:

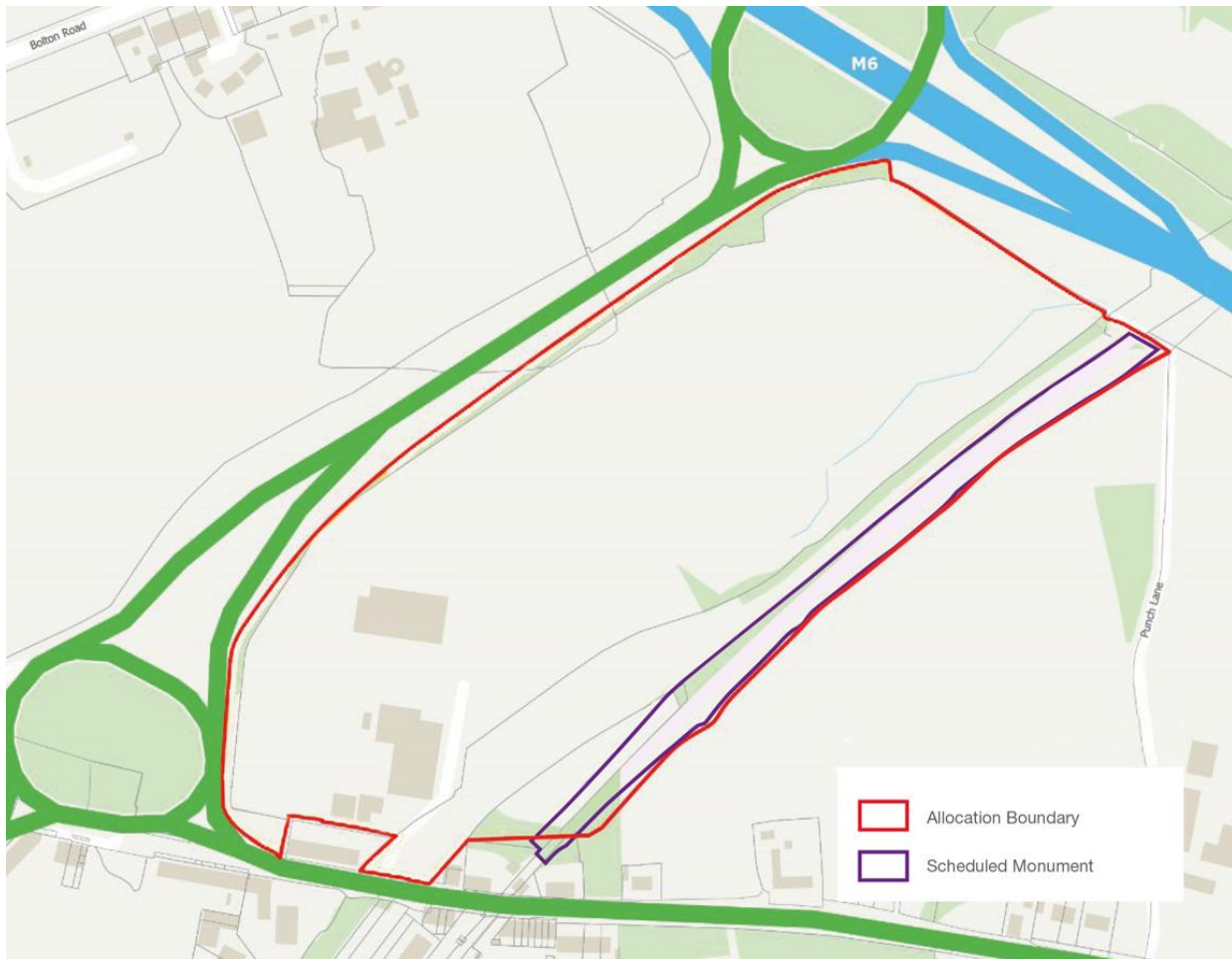
6. 'Development at this site will be required to:

5. *'~~require~~ provide high quality landscaping particularly to the west along Snyderdale Way and to the north along the M61; trees and hedgerows along the eastern boundary should be retained for screening;'*

Q16.11. Does the designation of the Scheduled Ancient Monument (SAM) on the eastern border of the site mean that the Plan needs to be modified and, if so, how?

The extent of the SAM is shown on **Figure 1**.

Figure 1: Location of the Scheduled Ancient Monument

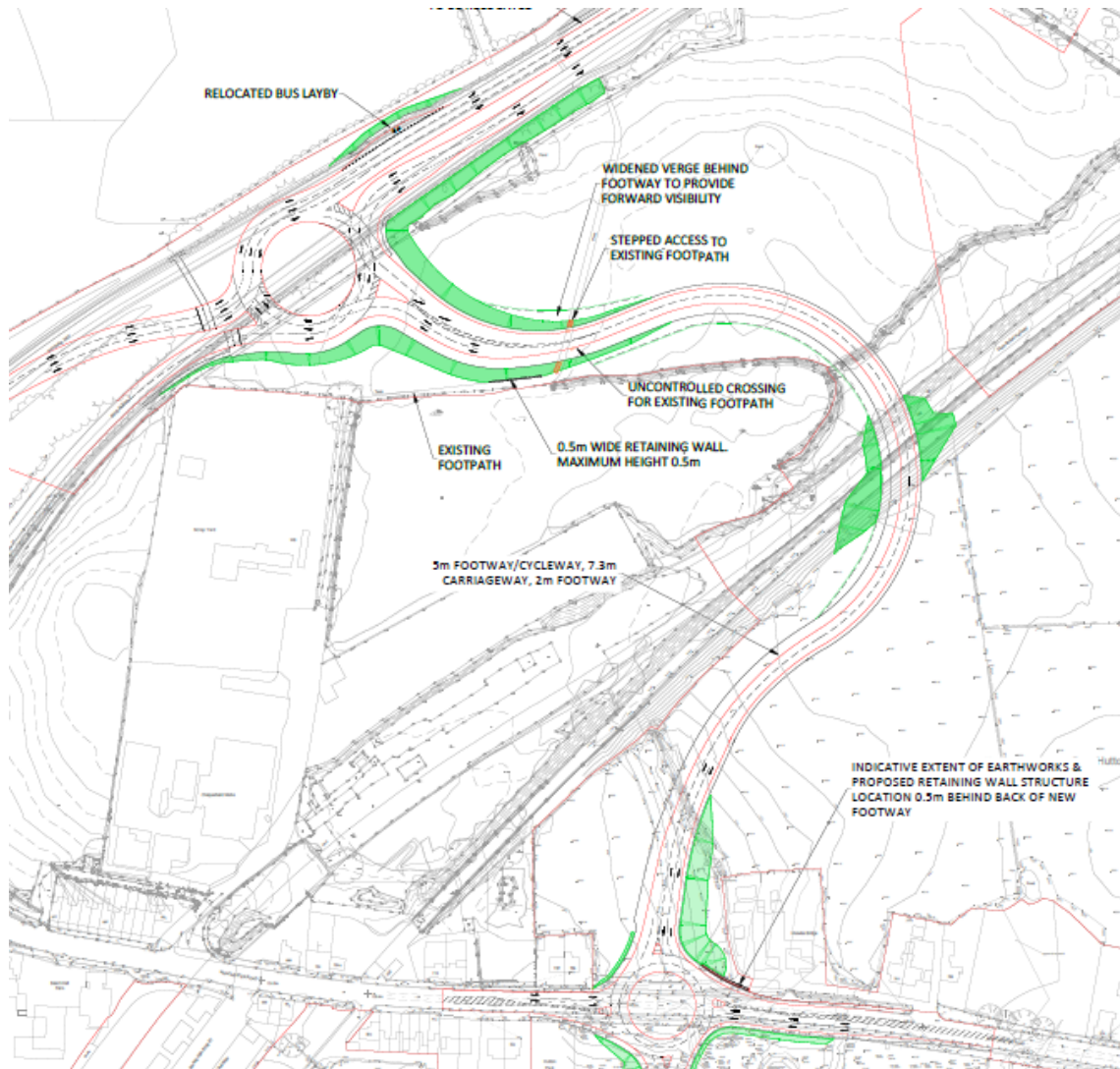


7. In its Matter Statement, Peel states that no modification is necessary as the allocation does not envisage that development would directly impact the designated area of the SAM and that Criterion 5 requires the trees and hedgerows along the eastern boundary of the site to be retained for screening. However, Peel further states that should the Inspectors consider the exclusion of the SAM from the allocation necessary to make the policy sound, Peel would raise no objection given that it is not the intention for that part of the site to be developed in any event and that such modification would have no bearing on the scale of development capable of being accommodated within the allocation.
8. On the extent of the allocation, the parties agree that no modification is required. It is agreed that the designation of Chequerbent Embankment as a SAM will not affect the quantum of development or deliverability.
9. In its Matter Statement, the GMCA states that the policy and the reasoned justification need amending to reflect the designation, and proposed Main Modifications address this (Schedule of Main Modifications to the Places for Everyone Plan - Version 2, November 2022 page 40 [PMM2.1]).
10. While Peel does not consider such modifications to be necessary to make the Plan sound, as the potential effects of development on the significance of the SAM will be appraised in detail as part

of the planning application process subject to development management policies of the Plan (e.g. Policy JP-P2) and national planning policy (the Framework), it would have no objection to the Main Modifications as proposed.

11. The parties highlight for the Inspectors that the Initial Heritage Appraisal contained within the evidence base (Ref. 10.02.03) has been updated to consider the significance of the SAM. This finds that there are potential opportunities to reveal, repair and interpret the railway embankment as part of the proposed landscaping along the east of the site, and as such heritage benefits could arise from its inclusion within the allocation.
12. The parties would further highlight that planning permission has recently been granted on appeal (planning application reference 12218/21 APP/N4205/W/22/3299644) for Peel's Hulton Park project, which entails, in summary, a championship-grade golf resort and residential communities on land on and adjacent to Hulton Park, which lies to the south east of the JPA5 allocation.
13. The planning permission authorises the construction of road infrastructure connecting the A58 Snydale Way to the A6 Manchester Road, including cutting through the Chequerbent Embankment SAM, as indicated on **Figure 2**, subject to mitigation and enhancement measures to the SAM, including a planning condition to reduce the cutting to no more than 21metres in breadth. In allowing the appeal the Inspector concurred with the findings of Historic England that the SAM is in a state of disrepair and inaccessible, and that the restoration of the asset and wider mitigation measures proposed will deliver a net heritage enhancement.
14. The parties agree that this planning permission, which is reliant on the award of rights to host the Ryder Cup tournament, does not affect Policy JPA5, but the basis on which the permission was granted highlights the condition of the SAM and the opportunities that exist for enhancement.

Figure 2: Approved Link Road A58 – A6 Cutting through the SAM



Approved drawing ref. ITM10187 - GA - 324

Q16.12. Are the development requirements set out in policy JPA5 consistent with national policy and justified, and would they be effective in securing sustainable development on the Chequerbent North allocation? In particular with regard to:

a) Access from the A6 and potential access via Snydale Way (criterion 2).

15. In its Matter Statement Peel states this requirement is not effective as presently worded, as the policy should not preclude potential direct access from Junction 5 of the M61 given its proximity and the potential advantages that this could achieve. It explains that a Memorandum of Understanding has been entered into with Bolton and Wigan Council's and TfGM to explore a potential connection in to Junction 5 as part of delivering on the aspiration for a link between Bolton and Wigan. This in part relates to the Hulton Park project referred to above.
16. In its Matter Statement, GMCA states that criterion 2 would be effective, and sound in all other respects.

17. The parties are not in agreement on this matter and will present their respective positions in the hearing.

b) Financial contributions to mitigate the impact on the Local Road Network including improvements to the Chequerbent roundabout (criterion 4).

18. In its Matter Statement, Peel states that criterion 4 is contradictory to the reasoned justification (11.99) by making financial contributions a requirement, when such contributions may not in fact be necessary.
19. GMCA propose a modification (Schedule of Main Modifications to the Places for Everyone Plan - Version 2, November 2022 page 40 [PMM2.1]) to criterion 4, only to replace 'Local Road Network' with 'highway network', and otherwise states in its Matter Statement that the criterion is sound.
20. The parties are agreed this modification is appropriate. The parties now further agree that the modification should be broader to address the issue raised by Peel, such that the modification would be as follows, as now proposed by GMCA:

~~Provide financial contribution to~~ "Mitigate impacts on the ~~Local Road Network~~ highway network including any necessary improvements to Chequerbent roundabout and/or other necessary improvements identified through a transport assessment"

Mineral Safeguarding

21. The GMCA has proposed a modification through its response to the Inspector's question AP9 in IN19 – Action points for weeks 1 and 2 [GMCA21] to ensure that development on allocated sites takes account of mineral safeguarding. This is through an additional criterion being added to affected allocations, which include this one, to state:
22. Consider the extraction of any viable mineral resources within Mineral Safeguarding Areas, in accordance with Policy 8 of the Greater Manchester Joint Minerals Development Plan (or any relevant policies in subsequent minerals plans).
23. Additional text is proposed to the reasoned justification to state:

The allocation is identified as containing Mineral Safeguarding Areas for surface coal (99.8%); and brickclay (99.8%) as defined in the Greater Manchester Joint Minerals Development Plan. The need for extraction prior to development commencing will be assessed against policies of that minerals plan (or any subsequent minerals plan) to ensure that specific mineral resources of local or national importance are not unnecessarily sterilised.

24. The parties are agreed that these modifications in relation to minerals safeguarding are appropriate.

Policy JP Allocation 5 Criterion 3: Provide good quality access to the site by motor vehicle, public transport, walking and cycling

25. The parties are agreed that the modification to remove criterion 3, which is addressed by Policy JP-C7 (Transport Requirements of New Development), is appropriate.

Signed:

Stephen Bell of Turley on behalf of Peel

A handwritten signature in black ink that reads "SBell". The letters are cursive and connected.

Jon Dyson Director of Place of Bolton MBC on behalf of GMCA

A handwritten signature in black ink that reads "J Dyson". The letters are cursive and connected.

18 January 2023