

**NORTH EAST DERBYSHIRE LOCAL PLAN 2014-2034**

**STATEMENT OF COMMON GROUND**

**AS AGREED BETWEEN  
NORTH EAST DERBYSHIRE DISTRICT COUNCIL, BOLSOVER  
DISTRICT COUNCIL, CHESTERFIELD BOROUGH COUNCIL,  
BASSETLAW DISTRICT COUNCIL, DERBYSHIRE COUNTY  
COUNCIL AND HIGHWAYS ENGLAND**

**September 2018**

## 1.0 Introduction

- 1.1 This Statement of Common Ground (SoCG) relates to the cumulative impact of Local Plan allocations across the North Derbyshire area on the operation of M1 Junction 30 and the A616 / A619 Treble Bob roundabout (the Treble Bob junction).
- 1.2 It builds upon the North Derbyshire and Bassetlaw Housing Market Area Joint SoCG which forms a supporting document to both North East Derbyshire District Council's and Bolsover District Council's submission Local Plans (NEDDC and BDC references SD6 and KSD6 respectively), together with the two authorities' Duty to Co-operate Statements and evidence bases.

## 2.0 Background

### M1 Junction 30

- 2.1 M1 Junction 30 is located in Bolsover District and links to the A619, A616 and A6135 which serve the districts of North East Derbyshire, Bolsover, Chesterfield and Bassetlaw, and to a degree the wider Sheffield sub-region.
- 2.2 The potential impact of new development upon the North Derbyshire highway network has been assessed and is set out in the Councils' evidence bases. This includes the jointly commissioned North Derbyshire Transport Study (NEDDC and BDC references EB TRA1 a to e and EB 46 to 50 respectively). Both Councils have also used this evidence as a background to develop further evidence to understand in more detail the impacts of their own growth plans going forward. This further transportation assessment work is set out in the North East Derbyshire Local Plan: Transport Evidence Base (December 2017) (NEDDC reference EB TRA7) and Bolsover District's Clowne Transport Study (October 2016) and its Addendum (October 2017) (BDC references EB 43 and 42 respectively).
- 2.3 In light of this evidence, Highways England has confirmed as part of the preparation of this SoCG that the junction currently performs reasonably well but queues build up on the M1 off-slips in the AM and PM peak periods. In the PM peak period in particular, queues extend back to M1 Junction 30 from the nearby Treble Bob junction which exacerbates queuing on the M1 off-slips.

### North East Derbyshire Local Plan

- 2.4 Within policy SS2: Spatial Strategy and the Distribution of Development, the North East Derbyshire Local Plan Publication Draft Plan expects:
- the delivery of a minimum of 6,600 dwellings over the period 2014 – 2034;
  - the majority (over 50%) of new housing development will be focussed on the four main towns of Clay Cross, Dronfield, Eckington and Killamarsh and on the Avenue and former Biwaters Strategic Sites;
  - the remaining housing development will be focussed on the district's other most sustainable settlements, defined as Level 2 settlements in the Plan's settlement hierarchy;
  - the delivery of 41ha of employment land for the period 2014 – 2034.

- 2.5 In order to meet the development requirements set out in policy SS2, the plan allocates housing and employment land under policies LC1, WC1 – 3 as follows:
- Clay Cross including the former Biwaters Strategic Site 995 dwellings and 17.92 ha of employment land;
  - Dronfield 475 dwellings and 6 ha of employment land;
  - Eckington 518 dwellings;
  - Killamarsh 471 dwellings and 5.75 ha of employment land;
  - Calow 67 dwellings;
  - Grassmoor 127 dwellings;
  - Holmewood 435 dwellings;
  - Long Duckmanton (Markham Vale) 5.95 ha of employment land;
  - Morton 80 dwellings;
  - North Wingfield 72 dwellings;
  - Pilsley 85 dwellings;
  - Renishaw 2.5 ha of employment land;
  - Shirland 132 dwellings;
  - Stonebroom 65 dwellings;
  - Tupton 329 dwellings and 3.32 ha of employment land;
  - Wingerworth including The Avenue Strategic Site 1181 dwellings and 5 ha of employment land.
- 2.6 As a consequence of the planned growth across North East Derbyshire, paragraph 9.32 of the plan confirms that the Council’s transport evidence base highlights “that traffic, albeit not in large volumes, arising from the proposed housing development mainly at Renishaw, Eckington and Killamarsh would route to and from junction 30 of the M1 motorway”. It should be noted that the reference to Renishaw as a location for housing growth is no longer factually correct and is intended to be deleted through modifications to the Plan.
- 2.7 The Council’s Infrastructure Study and Delivery Plan (NEDDC reference EB-IV1) highlights that “Highways England have noted that the level of development coming forward in the northern part of the District could have some impacts on the operation of Junction 30 of the M1 and that this is particularly important given the cumulative scale of growth taking place within North East Derbyshire and Bolsover”.
- 2.8 The North East Derbyshire Publication Draft Plan then includes a requirement for development to contribute to measures to mitigate any impacts of development on the M1 motorway within policy ID2: Provision and Safeguarding of Transport Infrastructure. Given that any impacts are likely to be limited the policy is prefaced with the words “where justified”. This aims to make clear that the need for development within North East Derbyshire to contribute towards delivering improvements to M1 junction 30 should be considered through a Transport Assessment as part of the planning application process.

#### Representations made to North East Derbyshire District Council

- 2.9 In responding to the Regulation 19 consultation on the North East Derbyshire Local Plan, Highways England provided the comments set out below:

*“M1 Junction 30 is likely to be mainly impacted by development emanating from Chesterfield (specifically developments in and around Staveley), and Bolsover District (from proposed development around Clowne). Traffic from North East Derbyshire (mainly from Renishaw, Eckington and Killamarsh) is also likely to impact on the junction but may not be in large volumes.*

*Given that M1 Junction 30 is likely to be impacted in future by traffic from a range of surrounding districts, mitigation may best be considered as sites come forward through the planning application process or through Highways England identifying an improvement scheme that addresses the cumulative impact of traffic from all these sources that may justify delivery through its own programme, possibly supported by developer contributions, and through consultation with Derbyshire CC, Chesterfield BC and Bolsover DC.*

*In view of the above, Highways England consider that it is important that the NEDLP provides clarity in its policies with respect to the significance of appropriate transport assessments being undertaken as and when individual developments in the plan come forward.*

*There are two policies in the NEDLP which relate to transport infrastructure and obligations on developers when they bring forward proposals for planning approval. These are:*

***Policy ID2: Provision and Safeguarding of Transport Infrastructure***

***Policy ID3: Sustainable Travel***

*These policies are broadly supported by Highways England. However, given the important role that Transport Assessments will continue to play in identifying the specific transport impacts and mitigation requirements associated with individual development proposals, it is recommended that Policy ID2 and ID3 be amended as indicated in bold type below:*

***ID2 Sustainable Transport Measures and Highway Improvements:***

*Where justified **through appropriate transport assessments**, development will be required to provide or contribute towards delivering the following transport infrastructure to support development including:*

*2) c) measures to mitigate any **adverse** impacts of development on the M1 motorway **junctions**;*

***ID 3 Proposals for major developments will be required to promote sustainable travel through necessary interventions **identified through appropriate Transport Assessments**, as set out in the priority order below:..”***

- 2.10 In responding to the Regulation 19 consultation on the North East Derbyshire Local Plan, Derbyshire County Council provided the comments set out below:

*“DCC’s officers have worked collaboratively with NEDDC’s officers to commission an update to the transport evidence base, particularly updated transport modelling works to test the impact of the planned housing and employment development*

*identified in the Local Plan on the highway network, in particular at the main towns of Clay Cross, Dronfield, Eckington and Killamarsh. A summary of the outcome of these modelling works is appropriately set out at paragraphs 9.31 to 9.33, particularly:.....*

- *That traffic, albeit not in large volumes arising from proposed housing development mainly at Renishaw, Eckington and Killamarsh would route to and from junction 30 of the M1 motorway.....*

*.....In particular, Policy ID2 appropriately reflects the outcomes of the updated transport modelling works and the identification of the need for highway improvements or sustainable transport measures to support development in Dronfield, Eckington, and Killamarsh.....”*

- 2.11 In the light of the representation received by Highways England the Council is minded to propose modifications to the wording of policy ID2 as suggested (see paragraph 2.9 above).

#### Local Plan for Bolsover District

- 2.12 Within policy SS2: Scale of Development, the Local Plan for Bolsover District makes provision for:
- a) sufficient land to accommodate the delivery of 5,168 dwellings (272 new homes per year) to meet the Council’s Housing Objectively Assessed Need across the period 2014 to 2033;
  - b) an additional housing land supply buffer of 10% for site flexibility applied across the period 2014 to 2033 (up to a planned scale of housing provision of 5,700 dwellings);
  - c) sufficient land to accommodate 92 hectares of employment land across the period 2015 to 2033.
- 2.13 Of this planned growth, across the plan period policy SS3: Spatial Strategy and Distribution of Development directs to:
- Bolsover 1,769 dwellings;
  - Shirebrook 786 dwellings and 10.82 ha of employment land;
  - South Normanton 380 dwellings and 25.31 ha of employment land;
  - Clowne 1,494 dwellings and 20 ha of employment land;
  - Creswell 289 dwellings and 0.46 ha of employment land;
  - Whitwell 218 dwellings and 5.50 ha of employment land;
  - Pinxton 56 dwellings and 1.23 ha of employment land;
  - Tibshelf 306 dwellings;
  - Barlborough 159 dwellings and 6.12 ha of employment land.
- 2.14 To meet the planned growth in Clowne, policy SS5: Strategic Site Allocation - Clowne Garden Village requires the site to deliver 1,000 dwellings during the plan period (with at least a further 500 dwellings beyond the plan period) and 20 hectares of employment land.

- 2.15 As a consequence of the planned growth across Bolsover District, paragraph 8.55 advises that the Council's evidence base "...highlight the need for a number of local transport improvement schemes in order to facilitate the growth planned in the Local Plan. The locations of these planned local transport improvement schemes are identified on the Policies Maps, with detailed proposals included within Appendix 8.1 of the Plan."
- 2.16 The Local Plan then lists the following two proposals within policy ITCR9: Local Transport Improvement Schemes:
- d) Improvements to A616 / Treble Bob junction, Clowne  
k) Improvement to M1 J30 roundabout
- 2.17 Appendix 8.1 of the Local Plan then includes, amongst other things, diagrams which illustrate detailed highway junction improvements as the mitigation necessary for these two highway junctions. These are reproduced in the Appendix to this SoCG.
- 2.18 In terms of the mechanism and timing for delivery of these junction improvements, the Council's Infrastructure Study and Delivery Plan sets out a list of infrastructure projects, which includes:

Critical project - A616 / Treble Bob junction improvements (ref. BDC/Clo/3)

- Lead delivery organisation: Derbyshire County Council
- Cost: Dependant on selected approach
- When: Likely start date 2020/21 but to tie in with build out of Clowne Garden Village Strategic Allocation
- Source of funding: Developer payments

Necessary project - M1 J30 roundabout improvements (ref. BDC/Clo/12)

- Lead delivery organisation: Derbyshire County Council
- Cost: Dependant on selected approach
- When: Likely start date 2025/26 but to tie in with build out of Clowne Garden Village Strategic Allocation
- Source of funding: Developer payments

#### Representations made to Bolsover District Council

- 2.19 In responding to the Regulation 19 consultation on the Local Plan for Bolsover District, Highways England provided the comments set out below:

*"In previous responses we have noted that these [strategic] sites are likely to have an impact on the operation of the M1, specifically M1 J29A and M1 J30 and this was also explored further in the Clowne Transport Study (2016) and Bolsover Transport Study (2016). We note that the Local Plan now makes provision for improvements at M1 J30 as set out in Policy ITCR9. However, there is limited detail as to what these improvements might involve. However, we would still expect that the traffic implications of all the Strategic and Priority Regeneration Sites on the SRN are fully assessed. As such we acknowledge and welcome Policy ITCR10, which states that development proposals which are likely to have significant*

*amounts of movements will need to be supported by a Transport Statement or Transport Assessment.*

*Highways England has no further comments to provide at this stage but reiterates that it would be beneficial to continue to engage with the Council in order to agree upon an approach for the future detailed assessment of traffic impacts on the M1 (particularly at M1 J30) and how these could be mitigated and delivered.”*

- 2.20 In responding to the Regulation 19 consultation on the Local Plan for Bolsover District, Derbyshire County Council provided the comments set out below:

*“As highway authority, the County Council has for some considerable time been working with Bolsover District Council to support the development of its Local Plan’s transportation evidence base. Much of this work particularly the transport studies for Bolsover and Clowne has been developed to support inclusion of the strategic sites Bolsover North and Clowne Garden Village. These studies have been carried out to assess the cumulative highways impacts of the levels of development in Bolsover and Clowne. These studies have demonstrated that the levels of development in these settlements can be achieved with appropriate highway and junction improvements.*

*This work has been supplemented with a number of transportation assessments submitted in support of a number of planning applications, which are understood to be subsequently consented sites. This has in turn both informed the site allocations within the PLP including Policy ITCR9: Local Transport Improvement Schemes.*

*ITCR9 makes provision for the granting of planning permission in cases where the proposal would not prejudice the delivery of a number of (listed) schemes. These schemes are in turn identified on the Policies Map and set out in detail in Appendix 8.1, which lists the schemes together with indicative layout(s). Whilst this is helpful, however, the PLP appears bereft of any actual policies that would ensure their delivery.*

*Beyond that, however, it is considered that the PLP does not present any insurmountable issues in terms of the Plan’s test of soundness in relation to highway matters. The County Council’s Officers are reasonably satisfied that the Highway Authority should, with the assistance of the District Council, be able to address the Inspector’s ‘Matters of Clarification’ on highway matters and that the Local Plan should in due course meet its test of soundness, at least in terms of the Inspector’s likely highways and transportation considerations.”*

#### Planning Application update

- 2.21 In December 2017, Bolsover District Council received an application from Waystone Developments Limited (Waystone) for outline planning permission for the Clowne Garden Village proposal. This application incorporates the requirements of policy SS5: Strategic Site Allocation - Clowne Garden Village of the Regulation 19 Local Plan for Bolsover District. As such, the application proposes that the site will deliver 1,000 dwellings during the plan period (with approximately a further 800 dwellings beyond the plan period) and 20 hectares of employment land.

- 2.22 To support their application, Waystone have prepared a detailed transport impact assessment that builds upon Bolsover District Council's evidence base and in particular the Clowne Transport Study and its Addendum. This supporting documentation has examined in detail the transport impacts of the proposal and its expected delivery timeframe. Based on this, the proposal provides detailed highway junction improvements as the mitigation necessary for a number of highway junctions, including the A616 / Treble Bob junction and the M1 J30 roundabout.
- 2.23 Following a full consideration of the application, it was reported to Bolsover District Council's Planning Committee on 26<sup>th</sup> June 2018 and it was resolved "that the Council resolve to approve this application and refer the application to the Secretary of State" subject to conditions. In accordance with this resolution, the application was referred to the Secretary of State on 2<sup>nd</sup> July 2018.
- 2.24 On 19<sup>th</sup> July 2018, the Government wrote back to Bolsover District Council to advise that:
- "The Government is committed to give more power to councils and communities to make their own decisions on planning issues, and believes planning decisions should be made at the local level wherever possible.*
- In deciding whether to call in the application, the Secretary of State has considered his policy on calling in planning applications. This policy gives examples of the types of issues which may lead him to conclude, in his opinion that applications should be called in. The Secretary of State has decided, having had regard to this policy, not to call in the application. He is content that the application should be determined by the local planning authority."*
- 2.25 In light of this response, at the time of writing Bolsover District Council is currently proceeding with the determination of the application and formulating the detailed planning conditions and requirements of the S106 Agreement. In relation to junction improvements to M1 Junction 30 and the Treble Bob junction, the planning conditions and S106 requirements will be informed by the highway modelling evidence and discussions with Highways England and Derbyshire County Council.

### **3.0 Areas of Common Ground**

- 3.1 North East Derbyshire District Council, Bolsover District Council, Chesterfield Borough Council, Bassetlaw District Council, Derbyshire County Council and Highways England are agreed that:
- a) the transport evidence base developed by both North East Derbyshire District Council and Bolsover District Council assesses the cumulative impact of development proposals on the operation of M1 Junction 30 as proposed within their Regulation 19 Local Plans and where possible as emerging through the plan making of neighbouring authorities;
  - b) the impacts from the North East Derbyshire Local Plan (Regulation 19) are limited, and are generated from the relatively small quantum of development



planned in Killamarsh and Eckington, and would not alone necessitate the need for improvements to M1 junction 30;

- c) the impacts from the Local Plan for Bolsover District (Regulation 19) are more substantial and are principally generated from the Clowne Garden Village strategic site allocation;
- d) the impacts from the emerging new Chesterfield Borough Local Plan and new Bassetlaw Plan are less certain at this stage but will be subject to future transport evidence base work which will be shared with Highways England, Derbyshire County Council and neighbouring authorities as they develop;
- e) the scope of mitigation measures necessary at M1 Junction 30 and the Treble Bob junction:
  - i. are set out in the Local Plan for Bolsover District (Regulation 19) within policy ITCR9: Local Transport Improvement Schemes and Appendix 8.1 to the Local Plan (and are reproduced in the Appendix to this SoCG);
  - ii. will be implemented through the interventions approved through the Clowne Garden Village planning application (application reference 17/00640/OUT) taking account of committed improvements associated with the developments at Brickyard Farm, Barlborough (application reference 17/00298/VAR) and Steetley (part in Bolsover District and part in Bassetlaw District) (application reference 08/00762/OUTEA). The mitigation measures brought forward will be 'transformational' in nature and will provide sufficient capacity for the cumulative impact of development proposals in the North East Derbyshire Local Plan and Local Plan for Bolsover District (Regulation 19);
- f) the mechanism for delivery of the mitigation measures necessary at M1 Junction 30 and the Treble Bob junction:
  - i. with regard to North East Derbyshire District where traffic is likely to have a limited impact on M1 Junction 30 and the Treble Bob junction, this will be via policy ID2: Provision and Safeguarding of Transport Infrastructure (as suggested for change) which provides a pragmatic response to the issue by requiring contributions towards any necessary mitigation where this is justified through transport assessment at the detailed planning application stage;
  - ii. with regard to Bolsover District where traffic is likely to have a more substantial impact on M1 Junction 30 and the Treble Bob junction, this will be via policy ITCR10: Supporting Sustainable Transport Patterns and policy II1: Plan Delivery and the Role of Developer Contributions which require developer contributions for transport infrastructure as justified by Transport Statements or Transport Assessments at the detailed planning application stage.
- g) the timing for delivery of the mitigation measures necessary at M1 Junction 30 and the Treble Bob junction:

- i. are set out in the Bolsover District Infrastructure Study and Delivery Plan as projects BDC/Clo/3 and BDC/Clo/12 described above in paragraph 2.18;
  - ii. will be updated through the phasing and trigger points for interventions approved through the Clowne Garden Village planning application (application reference 17/00640/OUT) as discussed above in e) ii.
- h) that the above areas of common ground provide a justified and effective approach to this matter that is sound and meets the Council's legal requirements under the Duty to Co-operate.

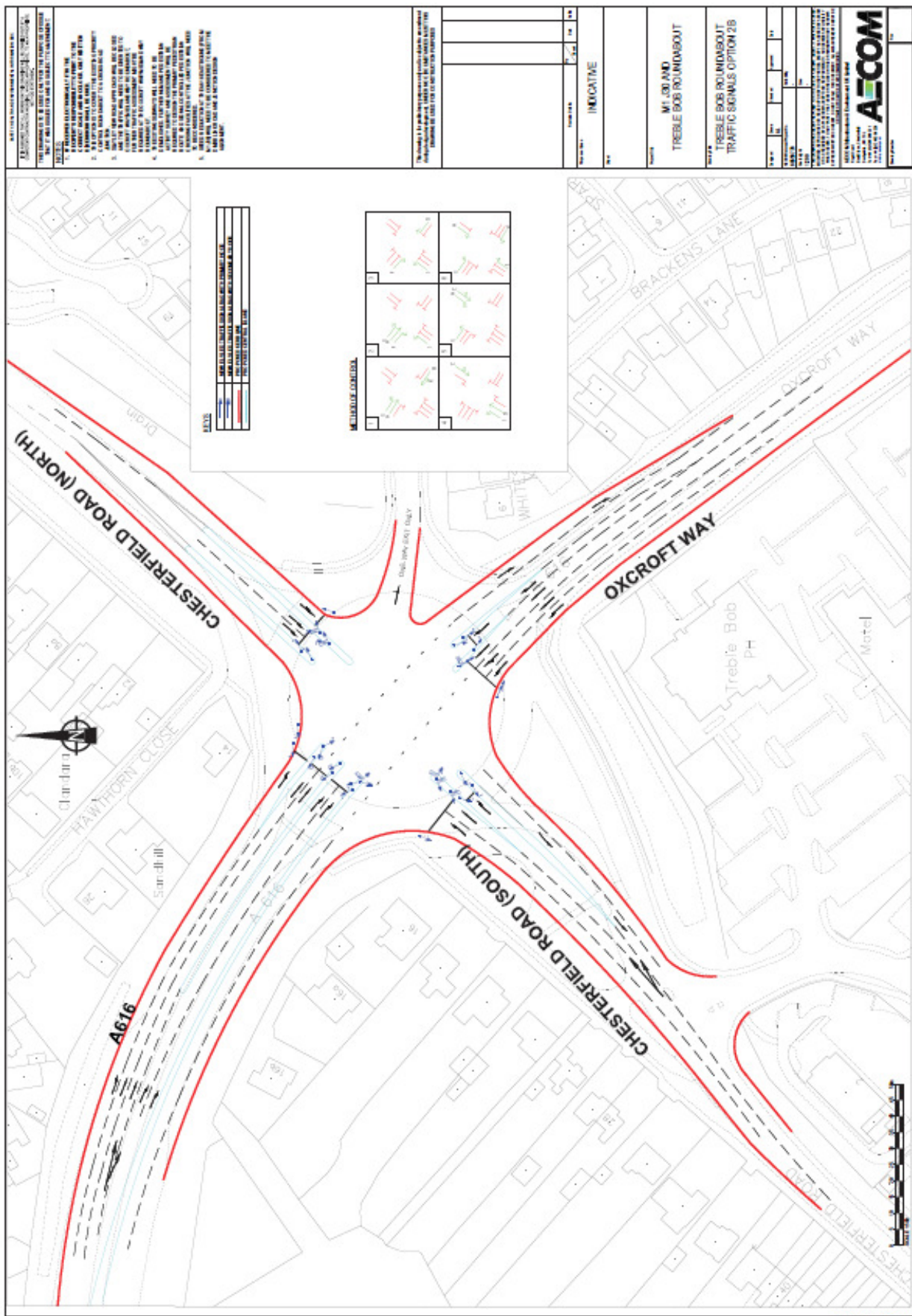
#### **4.0 Conclusion**

- 4.1 Based on the stated areas of common ground, Highways England and Derbyshire County Council agree that their representations to the North East Derbyshire Local Plan and the Local Plan for Bolsover District have been addressed.

**APPENDIX**



Option B) As set out in the Clowne Garden Village planning application





**Signed:**

<b>Authority</b>	<b>Officer</b>	<b>Member</b>
North East Derbyshire District Council	Name: <b>Dan Swaine</b>	Name: <b>Cllr Michael Gordon</b>
	Position: <b>Chief Executive</b>	Position: <b>Portfolio Holder Environment &amp; Chair of Local Plan Steering Group</b>
	Signature:	Signature:
	Date: <b>22 October 2018</b>	Date: <b>22 October 2018</b>
Bolsover District Council	Name: <b>Dan Swaine</b>	Name: <b>Cllr Tom Munro</b>
	Position: <b>Chief Executive</b>	Position: <b>Chair of Planning Committee</b>
	Signature:	Signature:
	Date: <b>19 October 2018</b>	Date: <b>19 October 2018</b>
Chesterfield Borough Council	Name: <b>Alan Morey</b>	Name: <b>Cllr Terry Gilby</b>
	Position: <b>Strategic Planning and Key Sites Manager</b>	Position: <b>Executive Member for Economic Growth</b>
	Signature:	Signature:
	Date: <b>4<sup>th</sup> October 2018</b>	Date: <b>4<sup>th</sup> October 2018</b>
Bassetlaw District Council	Name: <b>Beverley Adeltan- Sambrooke</b>	Name: <b>Cllr Joanne White</b>
	Position: <b>Head of Regeneration</b>	Position: <b>Deputy Leader</b>
	Signature:	Signature:
	Date: <b>11 October 2018</b>	Date: <b>12 October 2018</b>

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Derbyshire  
County Council

Name: **Mike Ashworth**

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Position:

**Strategic Director**

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Signature:

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Date: **1 October, 2018**

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Highways  
England

Name: **Emma Stewart**

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Position:

**Spatial Planning & Economic  
Development Manager**

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Signature:

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Date: **11 October 2018**