

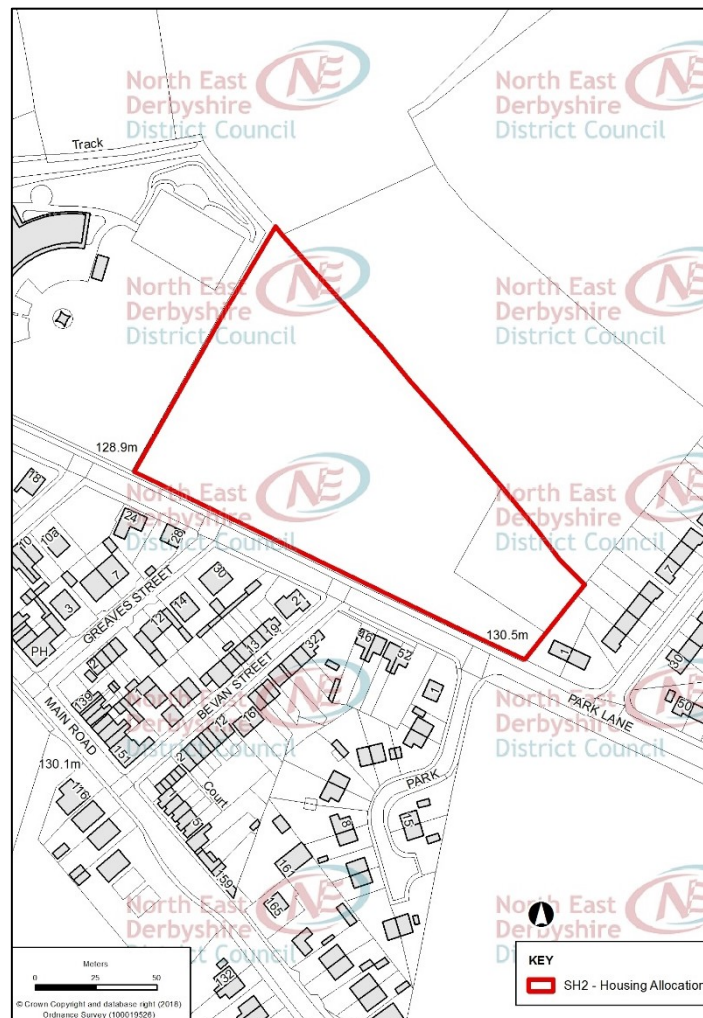
SH2: Land North of Park Lane, Shirland

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 North East Derbyshire District Council and Dorothy and Peter Whitaker and Joyce and George Smith on Policy LC1, allocation SH2 of the Publication Draft North East Derbyshire Local Plan (2014-2034) as submitted to the Secretary of State on the 24th May 2018.

2. The Site

2.1 The 1.39 ha site is a paddock positioned between Shirland Primary School and 1 St Leonard's Place, the north east of Park Lane in the centre of Shirland. After the Publication Draft Plan was submitted, which included the allocation of this site for the proposed residential development of 40 dwellings, an outline application (NED/17/01033/OL) was approved on 7th September 2018 for residential development land for up to 50 homes with a s106 agreement.



3. Timing of Delivery

3.1 The Council has undertaken work assessing the deliverability and phasing of sites and received an email in August 2018 from Rigby and Co, agent for the landowners. The owners intend to market the site in the autumn of 2018 to secure a developer and anticipate that this will take 3-4 months, so reserved matters will be secured in early 2019. The agent has confirmed that there are no covenants or physical constraints that would hamper the delivery of the site and he anticipates a start on site in the third quarter of 2019/20.

3.2 Given that a developer is yet to be secured, the Council has taken the view that the site is likely to be delivered later in the plan period, therefore estimates the following revised trajectory of 10 homes to be delivered in 2022/23, with the remaining 30 delivered in year 5 (2023/24) as shown in Appendix 1. The Council has allocated the site for approximately 40 dwellings, instead of the up to 50 dwellings in the outline permission. The Council considers 40 dwellings to be more in line with its density assumptions.

4. Areas of Common Ground

4.1 Both parties agree that:

The allocation Land North of Park Lane, Shirland for residential development is deliverable and developable as per paragraph 47 of the 2012 NPPF.

- The allocation is robust and justified. The development requirements, as set out in paragraphs 5.55 and 5.56 of the Publication Draft Local Plan, are clear and deliverable. Due consideration will be given to the constraints and necessary infrastructure required to deliver the development, including:
 - Satisfactory highway access and development does not adversely impact on the local road network.
 - The coal mining legacy on site through careful design and layout of development;
 - Ecological constraints.
 - Satisfactory drainage strategy.
 - Any open space requirements.
 - An education contribution of £68, 394.06 towards six school places at Shirland Primary School.
 - The viability implications of delivering any additional community infrastructure contribution
 - Any affordable housing requirement; 10% (or 4 homes).
- They will work together to ensure the successful delivery of the housing development to ensure that development delivers according to the trajectory.

5. Outstanding Matters (Areas of Disagreement)

5.1 The agents Rigby and Co, on behalf of the landowners believe that the site could be delivered in late 2019/20, as s106 agreement is now in place and they intend to market the site to developers for disposal in late 2018.

5.2 The Council has taken a more cautious approach to delivery and anticipates that the first dwelling completions will take place in 2023/24, as highlighted in the revised trajectory below, as the site is yet to be disposed to a developer and reserved matters are yet to be secured.

5.3 The Council and the landowners disagree over the amount of development on site. The landowners believe that up to 50 dwellings could be accommodated on site. Outline planning permission (17/01033/OL) was granted by the Council for up to that number, and included an indicative Layout Plan, which Council Officers found acceptable in principle from a design perspective. The landowners believe 50 dwellings would make more efficient use of this site in accordance with Government Policy set out at paragraphs 122 and 123 of the 2018 NPPF.

5.4 The Council believes approximately 40 dwellings is more appropriate for the Local Plan allocation. The suggested scale of development at Outline permissions generally decreases at the Reserved Matters stage. There are several examples in the District, including Shirland, where this has occurred. The Council's standard density calculation (30dw/ha minus 10%) would result in a scale of 39dw on this site.

5.5 There are no further areas of disagreement between North East Derbyshire District Council and Dorothy and Peter Whitaker and Joyce and George Smith in respect of Policy LC1, allocation SH2.

**Agreement
29/11/2018**

Signed by: NEDDC

Signed by:- Dorothy M. Whitaker and Joyce E. Smith

Appendix 1: SH2 Land North of Park Lane, Shirland

Allocation	Yield	2018/19	Year 1 2019/2020	Year 2 2020/21	Year 3 2021/22	Year 4 2022/23	Year 5 2023/24	Year 6 2024/25
SH2 Publication Draft	40					20	20	
Rigby and Co trajectory	50		25	25				
Council's revised trajectory	40					10	30	