

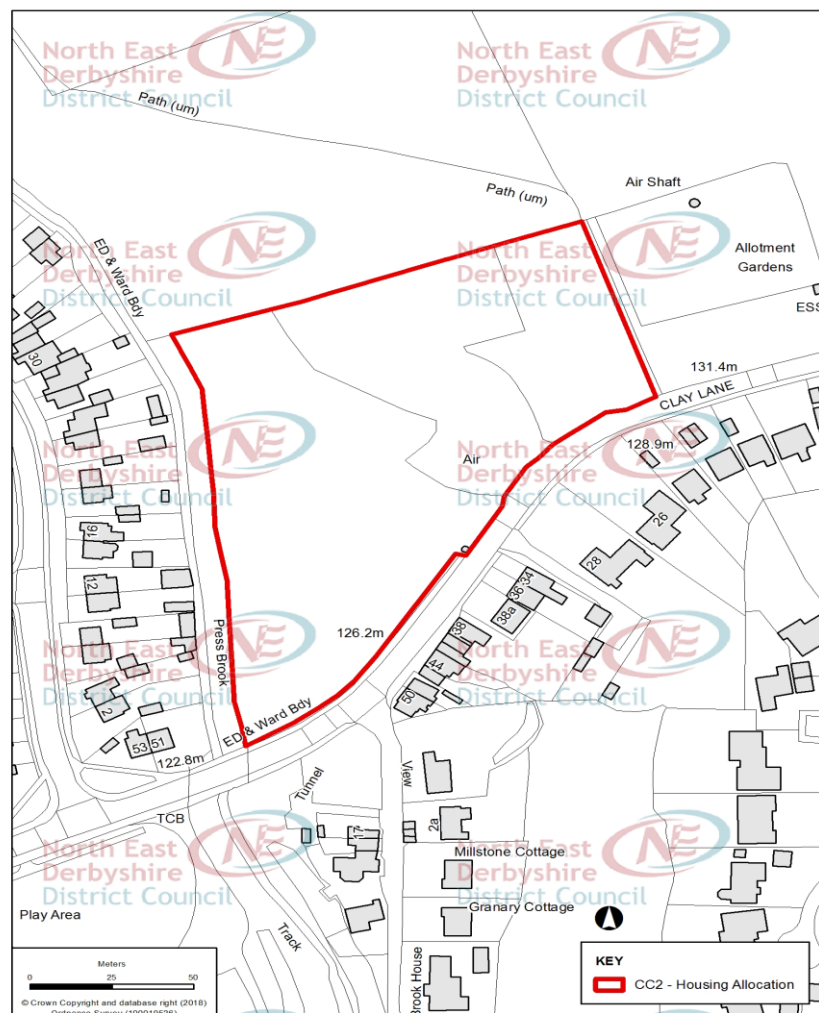
## CC2: Land North of Clay Lane, Clay Cross

### 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 Woodall Homes Ltd on Policy LC1, allocation CC2 of the Publication Draft North East Derbyshire District Local Plan (2014-2034) submitted to the Secretary of State on the 24<sup>th</sup> May 2018; for the proposed residential development of approximately 25 dwellings.

### 2. Site Description and Background

2.1 The 1.42ha site lies to the north of Clay Lane on the western edge of Clay Cross. Smithy Brook bounds the west of the site and beyond this there are residential properties further west and south of the site.



2.2 In May 2014, a site of 0.79ha was submitted to the Council by Highdale Homes, in response to the Council's 'Call for Sites' for the development of 25 dwellings. A larger site was then submitted by Woodall Homes Ltd in 2015.

2.3 Following comments on the Consultation Draft Plan in 2017 including the Environment Agency, the site boundary was altered to exclude a strip of land in the east of the site, which was in flood zone 3.

### **3. Timescale for Delivery**

3.1 The District Council has undertaken work assessing the deliverability and phasing of sites. The initial housing trajectory for the site was set out in the Local Plan Publication Draft. It was anticipated that the site is expected to deliver approximately 25 dwellings within the first five years from the adoption of the Local Plan.

3.2 DLP on behalf of house builders Woodall Homes support the allocation of CC2 (Representation ID 7780) to the Publication Draft Local Plan and state that the site is viable with few constraints. They also set out in their representation their commitment to delivering housing within the first five years of the plan, with a start on site in 2019/20 and completion in 2020/21. DLP, on behalf of Woodall Homes, have had pre-application discussions with NEDDC earlier this year and wish to submit a planning application this year. Woodall Homes consider that, with careful layout, the site could yield approximately 30 dwellings.

3.3 Since consultation on the Publication Draft Local Plan, the house builder's planning representative has provided a further update to this position, stating that at the time of writing the submission of a full planning application is nearing, and expected in early 2019. In this regard discussions have taken with the council concerning Archaeology, a draft layout proposing 36 units has been prepared and ecological appraisal undertaken. Although this is acknowledged, the Council take a more cautious approach to the delivery of the site based on site constraints and progress to date and anticipate that it is more likely that the first homes will be completed on site in years 5 and 6.

### **4. Areas of Common Ground**

4.1 Both parties agree that:

- The allocation of CC2 - Land north of Clay Lane, Clay Cross for residential development is suitable, available and achievable, as per paragraph 47 of the 2012 NPPF. It is therefore supported as a residential allocation.
- The allocation is robust and justified. The development requirements, as set out in paragraphs 5.14 and 5.15 of the Publication Draft Local Plan,

are clear and deliverable. Due consideration will be given to the constraints and necessary infrastructure if required to deliver the development, including:

- A suitable access to the development;
- The coal mining legacy on site, which will be carefully design and layout of development;
- The sensitive design and layout of the development to consider nearby heritage asset;
- The ecological constraints of the site, particularly in relation to the orchard to the east of the site and Press Brook and necessary buffers;
- Assessment and mitigation of flood risk;
- Financial contributions to off-site sport and recreational areas;
- Financial contributions towards education and health provision;
- The need to provide affordable housing (as per Policy LC2 of 20% (5) of homes).

Nb. Any requests for contributions will be subject to accordance with the relevant tests set out in the NPPF and the regulations governing planning obligations.

- They will work together to ensure the successful delivery of the housing development to ensure that development delivers according to the revised trajectory.

## **5. Outstanding Matters (Areas of Disagreement)**

5.1 DLP, on behalf of Woodall Homes state that with careful layout the site could yield circa 36 homes. The Council considers a yield of approximately 25 homes to be appropriate considering the physical constraints, including the requirement for a buffer to the Press Brook.

5.2 The District Council anticipates the first dwelling completions to take place towards the end of the first 5 year period in 2023/24, as highlighted in the revised trajectory. Woodall Homes does not agree with the District Council's revised trajectory, their expectation being that construction will start earlier on site in 2020/21.

5.3 There are no further areas of disagreement between North East Derbyshire District Council and Woodall Homes Ltd in respect of LC1, allocation CC2.

## **Agreement**

**Signed by:- Helen Fairfax, Planning Policy Manager, NEDDC**

Date: 22/10/2018

**Signed by:- DLP Planning Ltd on behalf of Woodall Homes Ltd.**

Darren Abbott

BSc (Hons) MSc MRTPI

Associate Director

Date: 18/10/18

## Appendix 1: CC2: Land north of Clay Lane, Clay Cross

Allocation	Yield	2017/18	Adoption Yr 2018/19	Year 1 2019/20	Year 2 2020/21	Year 3 2021/22	Year 4 2022/23	Year 5 2023/24	Year 6 2024/25	Year 7 2025/26	Year 8 2026/27	Year 9 2027/28	Year 10 2028/29	Year 11 2029/30	Year 12 2030/31	Year 13 2031/32	Year 14 2032/33	Year 2033/34	Beyond 2034	Undelivered
CC2 Publication Draft	25	0	0	0	0	0	10	15	0	0	0	0	0	0	0	0	0	0	0	0
Revised Trajectory	25	0	0	0	0	0	0	15	10	0	0	0	0	0	0	0	0	0	0	0
Woodall Homes Trajectory	30	0	0	0	30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0