CC3: Land off Holmgate Road, 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 Mr Lowther (landowner), on Policy LC1, allocation CC3, of the Publication Draft North East Derbyshire Local Plan (2014-2034), as Submitted to the Secretary of State on the 24th May 2018; for the proposed residential development of 15 dwellings.

2. **The Site**
   2.1 This site is located to the west of Clay Cross. It is approximately 0.58 hectares in size. When preparing the Publication Draft Local Plan, the site had outline planning permission for 15 dwellings (14/00220/OL). This has now expired due to personal reasons.
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 expected that the site would deliver its 15 dwellings within the first five years after the adoption of the Plan. This was based on contact with the landowner’s agent in July 2017, who confirmed that the site was being marketed ‘for sale’, and that it could potentially be developed within the next 12 to 18 months.

3.2 This did not take place and the original permission expired in March 2018.

3.3 Discussions with the landowner’s agent in July 2018 have identified that the landowner is planning to submit a renewed planning application in due course for 15 dwellings on the site.

3.4 Due to this uncertainty, the Council has adjusted the expected delivery of the allocation to be in the last two years of the Plan Period, as set out in Appendix 1.

4 Areas of Common Ground

4.1 Both Parties agree that:

- The allocation of CC3 – Land off Holmgate Road, Clay Cross, for residential development is deliverable and developable, as per paragraph 47 of the 2012 NPPF. The amount of development proposed (15 homes) is justified.

- The allocation is robust and justified. The development requirements, as set out in paragraphs 5.16 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 to the site;
  - Development to incorporates positive enhancements for biodiversity interest
  - The coal mining legacy on site through careful design and layout of development;
  - Consideration of high quality design to mitigate the impact of development on the character of the area;
o On-site open space provision and off-site contributions to local recreational space, as required;
o Contributions to the expansion of education and health provision, if required;
o The provision of affordable housing, at a minimum of 30%, in line with Council’s Policy LC2 (3 units)

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

5 Matters of Disagreement

5.1 There are no further areas of disagreement between North East Derbyshire District Council and Derbyshire County Council in respect of LC1, allocation CC3.

Agreement

Signed by: - NEDDC
Helen Fairfax, Planning Policy Manager

Date:

Signed by: - Mr Lowther

Date:
Appendix 1: CC3 Land off Holmgate Road, Clay Cross

| Allocation       | Yield | 2017/18 | Adoption Yr | Year 1 2019/20 | Year 2 | Year 3 | Year 4 | Year 5 | Year 6 | Year 7 | Year 8 | Year 9 | Year 10 | Year 11 | Year 12 | Year 13 | Year 14 | Year 15 | Year 16/17 | Beyond 2034 | Undelivered |
|------------------|-------|---------|-------------|----------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|-----------|-------------|------------|
| CC3 Publication  | 15    | 5       | 10          |                |        |        |        |        |        |        |        |        |        |        |        |        |          |            |            |
| Draft            |       |         |             |                |        |        |        |        |        |        |        |        |        |        |        |        |          |            |            |
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