KL1: Land at Westthorpe, Killamarsh

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 Harworth Estates, represented by CODA Planning on Policy LC1, allocation KL1 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 site is approximately 15.6ha in size and is located in the south of Killamarsh. The majority of site (map reference KIL/2302) is located within the Green Belt and the Local Plan proposes to release this land from the Green Belt for residential development. The small north eastern part of the site (map reference KIL/1601) is not located in the Green Belt. The Publication Draft Local Plan allocates the site for 330 dwellings.
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 and was based on the Council’s general estimations that a planning application would be submitted within the first year after adoption and that the first completions would take place three years after that. It was estimated that 15 dwellings would be completed within 2021/22 and 35 dwellings in subsequent years up to 2030/31 to deliver the capacity of 330 dwellings.

3.2 Harworth Estates are promoting the allocation site and have a promotional agreement with the landowners, which binds the landowners to work together. Coda Planning on behalf of Harworth Estates submitted a representation requesting a higher yield (up to approx. 400 homes) than proposed in the allocation, by applying a higher density on this site (representation ID 7968). The representation also included an indicative layout for 396 homes, to be delivered over ten years at a rate of 40 homes a year from 2019/20 to 2028/29.

3.3 Harworth Estates have submitted an outline planning application (18/01003/OL) to the Council (October 2018) for 397 homes this gives confidence that this site can be delivered within the plan period. Coda Planning on behalf of Haworth Estates also set out in an email in October 2018 that the first homes can be completed at the latest in 2020/21 (yr2).

3.4 The Council still believes however, that the lead-in times in their trajectory are optimistic. The Council assumes the first completions to take place at least three years after the granting of planning permission. As the adoption of the Local Plan may be later than February 2019 (as set out in the Local Development Scheme), thereby moving into the next monitoring year, the Council considers it more realistic that the first year of completion would be 2022/23 (yr 4), which is a year later than in the Publication Draft Local Plan.

3.5 Appendix 1 shows the different trajectories.

4. **Areas of Common Ground**

4.1 Both parties agree that:

- The allocation KL1 Land at Westthorpe Road, Kilhamarsh 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 5.32, 5.33 and 5.34 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:

  o The ecological constraints of the site;
  o Capacity of the nearby highway network and the design of future junction(s);
  o The coal mining legacy on site through careful design and layout of development;
  o The countryside setting and long distance views, particularly in relation to the interface with the countryside to the south of the site.
  o Where appropriate, compensatory improvements to the environmental quality or accessibility to the remaining Green Belt land;
  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 20%, in line with Council’s Policy LC2 (66 units).

• Exceptional circumstances for removing the KL1 site allocation from the Green Belt have been demonstrated to be robust and justified.

• 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 Harworth Estates believe that the site can deliver a greater yield of homes (up to approx. 400 homes) than proposed in the allocation, by applying a higher density on this site (representation ID 7968). In addition, Harworth Estates have submitted a planning application (18/01003/OL) for 397 homes. Coda Planning stated in an email in October 2018, that this figure is based on detailed assessments of site constraints (SI, Coal Mining Risk, ecology, drainage, highways, etc.), careful design in light of this and also in light of pre-application discussions. This application has not yet been considered by the Council. The Council believes 330 dwellings is appropriate, given the constraints on site.
5.2 Harworth Estates also object to the Housing Trajectory for this site in Appendix B of the Publication Draft Local Plan, estimating that these dwellings can be delivered earlier and more consistently throughout the Plan period (same representation ID as above: 7968). The Council disagrees. Although the Council appreciates that Harworth Estates is progressing the site, it is not considered realistic that the first year completions take place in 2019/20 (or by 2020/21 as suggested in October’s email from Coda Planning), due to longer lead-in times. As the adoption of the Local Plan may be later than February 2019 (as set out in the Local Development Scheme), thereby moving into the next monitoring year, the Council considers it more realistic that the first year of completion would be 2022/23 (yr 4). The Council proposes to amend the Publication Draft Local Plan, paragraph 5.32, second sentence from “within the first 10 years” to “between years 4 and 13”.

Agreement

Signed by:- NEDDC
Helen Fairfax, Planning Policy Manager
22/10/2018

Signed by:- Harworth Estates Ltd
### Appendix 1: KL1: Land at Westthorpe, Killamarsh

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