

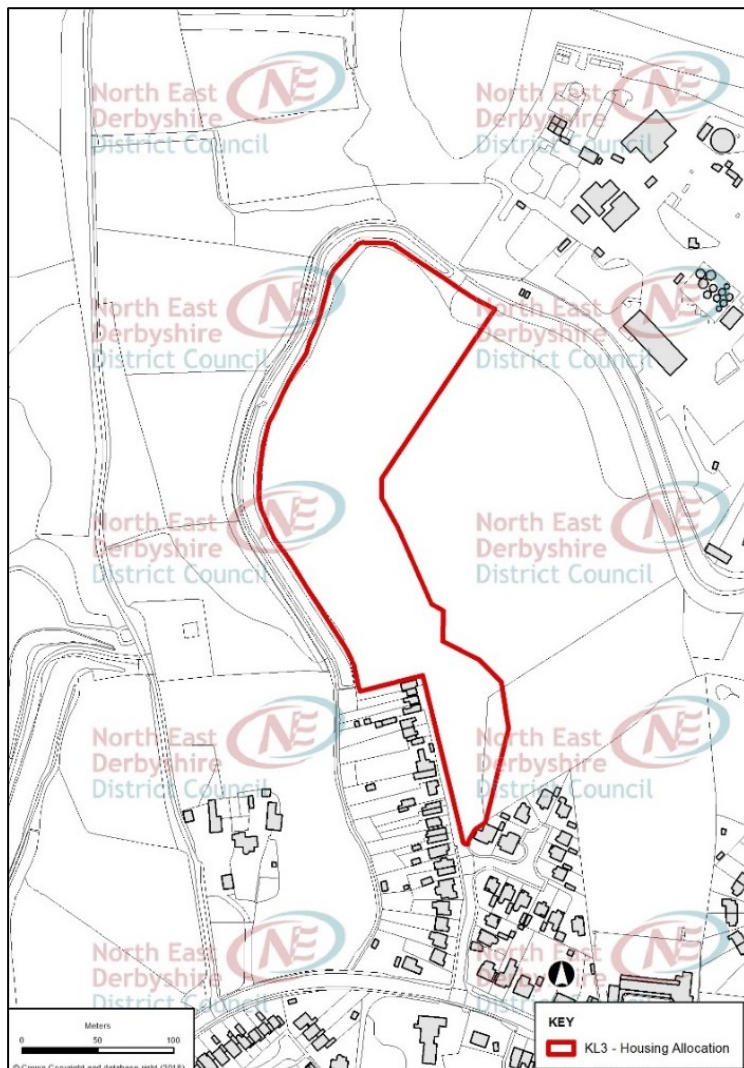
KL3. Land off Primrose Lane, Killamarsh

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 Lorna Brady Glover (landowner) on Policy LC1, allocation KL3, of the Publication Draft North East Derbyshire Local Plan (2014-2034) submitted to the Secretary of State on the 24th May 2018; for the proposed residential development of 30 dwellings.

2. The Site

2.1 The site is an open area of unimproved grassland bordered by the former route of the Chesterfield Canal to the north and west and housing to the south. Land off Primrose Lane, Killamarsh was granted full planning consent for the erection of 30 dwellings (NED/16/00216/FL) in January 2017. This included the signing of a S106 legal agreement. The application expires on 31st January 2020.



3. Timescales for delivery

3.1 The District Council has undertaken work assessing the deliverability and phasing of sites. Originally the full application was submitted by Strata Homes, but they are no longer involved in the scheme. The agent, John England, acting on behalf of the landowner, spoke to the Council in May 2018 to ensure them that he is working towards resolving the highway access issue, but that timescales are still unclear. Therefore, this unresolved technical matter may be a risk to delivery within the first five years and a potential cause for delay. Therefore, the Council are taking a more cautious approach and estimate delivery in the next ten years.

3.2 The housing trajectory was therefore, amended to estimate that the delivery of the site would be at the end of the Plan Period, as below in Appendix 1.

4. Areas of Common Ground

4.1 Both Parties agree that:

- The allocation of site KL3 – Land off Primrose Lane, Killamarsh for residential development is developable as per paragraph 47 of the 2012 NPPF. The amount of development proposed (30 dwellings) is justified, as demonstrated by the extant consent.
- The allocation is robust and justified. The development requirements, as set out in paragraph 5.37 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:
 - A suitable highway access to the site.
 - Ecological constraints and protected trees and mitigation required.
 - The proximity of the HSE's hazardous installation HSE have revised the CD Zone and only 5% of the site falls within the middle zone leaving the majority of the site with no density restrictions.
 - The potential risks from ground conditions and coal mining legacy.
 - Green infrastructure and formal landscaped areas, particularly in relation to access to the future restoration of the Chesterfield Canal. This is secured through contributions of over £30k towards the enhancement and upkeep of play facilities in the village of Killamarsh and public rights of way (£84k) and public art (£2k) as part of the extant consent.
 - A financial contribution of £9k is to be contributed to community facilities within Killamarsh through the Parish Council as part of the extant consent.
 - A sum of over £68k towards the provision of 6 Primary School Places at Killamarsh St Giles Church of England Primary School as set out in the s106 agreement as part of the extant consent.

- A financial contribution of slightly more than £300K to off-site affordable housing was agreed as part of the existing 106 agreement.
- 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 There are no areas of disagreement between North East Derbyshire District Council and Lorna Brady Glover in respect of Policy LC1, allocation KL3.

Agreement

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

22/10/2018

Signed by:- John England, on behalf of Lorna Brady Glover

Appendix 1 KL3 Land off Primrose Lane, Killamarsh

Allocation	Yield	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 15 2033/34	Beyond 2034
KL3 Publication Draft	30	15	15														
Revised trajectory	30														15	15	