

DERBYSHIRE COUNTY COUNCIL

**MEETING OF CABINET MEMBER – HIGHWAYS, TRANSPORT AND
INFRASTRUCTURE**

29 September 2015

Report of the Strategic Director – Economy, Transport and Environment

**CONSULTATION: REVISIONS TO THE FURTHER PROPOSED CHANGES
TO THE AMBER VALLEY LOCAL PLAN PART 1 CORE STRATEGY**

(1) **Purpose of Report** To agree the County Council's response to Amber Valley Borough Council's (AVBC) statutory consultation on the Revisions to the Further Proposed Changes to the Amber Valley Local Plan Part 1 Core Strategy.

(2) **Information and Analysis**

Background

An Examination in Public (EIP) was commenced in March 2014 into the Amber Valley Local Plan Submission Core Strategy (LPSCS). The Planning Inspector suspended the EIP in May 2014, due to a number of 'soundness' concerns, particularly relating to the Borough's objectively assessed housing needs (OAHN) and the delivery of key strategic housing sites to meet those needs. Since then, AVBC has carried out extensive further work and commissioned a range of new evidence to address the Inspector's concerns. In particular, AVBC has identified a range of new strategic housing sites that have been proposed for allocation in:

- Proposed Changes to the Amber Valley Local Plan Part 1 Core Strategy (Proposed Changes) (July 2014); and
- Further Proposed Changes to the Amber Valley Local Plan Part 1 Core Strategy (Further Proposed Changes) (October 2014).

Derbyshire County Council provided detailed Member comments and Officer technical comments on the Proposed Changes and Further Proposed Changes, together with assessments of the strategic planning policy, strategic infrastructure/service delivery and highway impact implications of all the proposed strategic sites. Most recently, comments on the Further Proposed Changes were agreed by the Cabinet Member on 29 January 2015 (Minute No. 9/15 refers).

The Revisions to the Further Proposed Changes (Revisions to Further Proposed Changes) set out a new proposed housing requirement for the

Borough of between 9,770 and 9,849 dwellings over the Plan period 2011 to 2028. This proposed requirement is AVBC's contribution to an overall housing requirement of 33,388 dwellings for the Derby Housing Market Area (HMA), which has been agreed by the two Inspectors who presided over the Amber Valley and South Derbyshire Local Plan EIPs. Derby City Council's (the City Council) proposed contribution is 11,000 dwellings and South Derbyshire District Council's (SDDC) proposed contribution is between 12,539 and 12,618 dwellings.

The Revisions to Further Proposed Changes identify the Borough's potential land supply to meet this requirement, particularly the strategic housing sites proposed for retention in the Local Plan. It is also proposed that three sites previously identified in the Further Proposed Changes would be deleted due to potential adverse environmental impacts and highways capacity issues, namely:

- Kedleston Road, Quarndon (400 dwellings);
- Bullsmoor, Belper (150 dwellings); and
- Amber Heights, Ripley (60 dwellings).

A site for 60 dwellings at Hall Road, Langley Mill, previously identified in the Proposed Changes, is proposed for reinstatement.

Provisional Member and Officer technical comments were submitted on 4 September 2015 to meet AVBC's statutory consultation deadline, subject to agreement at this Cabinet Member meeting. A copy of these comments is contained in Appendix 1 to this report, together with a Derbyshire County Council's Highways Statement on the proposed strategic housing allocation at Chesterfield Road, Alfreton (300 dwellings), which was also submitted and sets out detailed justification for the Highway Authority's objection to its proposed allocation.

A summary of the Member and Officer technical comments is provided below.

Local Member Comments

Local County Councillors with electoral divisions in Amber Valley Borough and South Derbyshire District were consulted on the Revisions to the Further Proposed Changes. Councillors Bradford, Cox, Freeborn and Jones made extensive comments on the Revisions to the Further Proposed Changes, which are set out verbatim (see Appendix 1). In summary:

Councillor Stuart Bradford, Local Member for Duffield and Belper, expressed his support for the deletion of the strategic site at Kedleston Road, Quarndon and his concern about the use of the strategic site at Lily Street Farm, Swanwick for housing.

Councillor Cox, Local Member for Heanor Central, expressed her disappointment about the proposed removal of the strategic sites at

Quarndon and Belper, which would be likely to result in higher density development on existing housing sites elsewhere in the Borough and be likely to have a significant impact on local infrastructure. She is also concerned about the lack of housing provision in rural villages, particularly to meet the needs of existing families who wish to continue to live in these villages.

Councillor Steve Freeborn, Local Member for Ripley East and Codnor, questioned the status of the proposed A610 Ripley Relief Road and associated housing allocations at Nottingham Road, Ripley and Alfreton Road, Codnor, and whether they have been deleted from the Local Plan. He gave support for the deletion of the strategic site at Amber Heights but opposition to the deletion of the Kedleston Road site, Quarndon and retention of the site at Asher Lane, Ripley.

Councillor Paul Jones, Local Member for Greater Heanor, supports the deletion of the A610 Ripley Relief Road and that no new sites are located in the Green Belt. He is gravely concerned about the proposed deletion of the strategic sites at Quarndon and Belper due to the expectation that sites elsewhere in the Borough will need to compensate for those deletions, particularly housing sites in the Heanor and Loscoe, and Aldercar and Langley Mill Town Council areas, which could have significant impacts on existing infrastructure. He is concerned about the site at Hall Road, Langley Mill due to its potential risk to flooding.

Officer Comments

Housing Comments

The housing comments express support for the proposed new housing provision requirement for the Borough of between 9,770 and 9,849 dwellings over the Plan period, which is based on an extensive range of new supporting evidence. Derbyshire County Council has been working jointly with AVBC, the City Council and SDDC to help the three HMA authorities identify sufficient land and sites to meet the OAHNs of the HMA for 33,388 dwellings agreed by the two Local Plan Inspectors. The new housing provision requirement set out in the Revisions to Further Proposed Changes, together with the proposed housing requirements that have been proposed by the City Council and SDDC, will ensure that the OAHNs of the HMA would be met in full.

Concern is expressed, however, about the allocation of the strategic site at Chesterfield Road, Alfreton. Derbyshire County Council, as Highways Authority, has objected to the allocation. This could have implications for a shortfall in land supply if the site is deleted from the Local Plan. Concern is also raised about the proposed distribution of strategic housing sites proposed in the Local Plan as a consequence of the deletions and additions of sites proposed in the Revisions to Further Proposed Changes. With the exception of a site at Radbourne Lane, Mackworth, all other allocation sites proposed for retention in the Local Plan are located in and around the settlements to the east of the Borough with none to the west.

Highways Comments

Transport Evidence Base

The Highways comments set out details of the transport modelling works that have been carried out to assess the likely highways impacts of all the sites that have been proposed for allocation in the LPSCS, Proposed Changes and Further Proposed Changes. Due to the need to meet the revised timetable for the likely resumption of the Local Plan EIP, the transport modelling works have included a significant number of sites that have been deleted from the Local Plan in the Proposed Changes, Further Proposed Changes and Revisions to the Further Proposed Changes. This means that the 'with development' scenario that has been tested in the modelling works includes a significant over provision of housing relating to the deleted sites. It can therefore be assumed that the traffic modelling work is robust because it is based on a 'worst case' scenario. The modelling works conclude that the combined impacts of the strategic housing sites in the Local Plan would not result in insurmountable difficulties for the highway network. An Updated Transport Topic Paper, prepared by officers, sets out the detailed background to the modelling works and its conclusions.

Strategic Allocation at Chesterfield Road, Alfreton

It has been the longstanding position of Derbyshire County Council, as Highway Authority, that the strategic site at Chesterfield Road, Alfreton could not be safely and satisfactorily accessed directly from the A61 Chesterfield Road. Since the site was identified for allocation in the Proposed Changes, Derbyshire County Council's Highways officers have engaged in extensive discussions with the site promoters and their consultants to address the Highway Authority's concerns. Potential design schemes submitted by the consultants have been considered by Derbyshire County Council's Highways officers, which included a signalised junction and, more recently, a roundabout design to serve the site directly from the A61 Chesterfield Road. Officers considered both schemes to be unacceptable and, in the case of the latest roundabout design, concluded that the Highway Authority maintained the position that the proposed strategic allocation could not be safely and satisfactorily accessed from the A61 and, further, that development of the site would result in unwarranted additional delays, queues and congestion at the existing A61/High Street/Church Street signalised junction in Alfreton. The Highway Authority therefore objects to the allocation of the site in the Local Plan. A detailed Highways Statement has been produced by officers, which sets out the background and justification for the Highway Authority's objection (see Appendix 2 of this report).

Comments on Other Strategic Sites

- Kedleston Road, Quarndon: The deletion of this site is considered to be justified on grounds of its likely adverse impacts on the setting of Kedleston Hall, and its Historic Park and Gardens, and the landscape and landscape character of the area;

- Bullsmoor, Belper: Deletion is considered to be justified on grounds of its likely adverse impacts on the Outstanding Universal Value (OUV) of the Derwent Valley Mills World Heritage Site (DVMWHS) and its buffer zone;
- Amber Heights, Ripley: Deletion is considered to be justified on grounds that it is unlikely to be delivered for development within the Plan period;
- Hall Road, Langley Mill: Concern is expressed about its proposed inclusion due to its potential risk of flooding; and
- Lily Street Farm, Swanwick: Derbyshire County Council's officers have previously considered the allocation of the site for housing and strategic employment land was acceptable in principle; a recent planning application, referred to Derbyshire County Council for comments, has a number of outstanding issues relating to school place planning need, highways impacts and impacts on landscape character, which require further consideration by Derbyshire County Council's officers.

Education Provision Comments

The South Derbyshire Education Strategy (SDES) is in progress, which is considering the school place planning implications of future housing growth on the periphery of the City of Derby planned by the three HMA authorities, including the need for, and location of, a new secondary school. Derbyshire County Council's officers have also provided detailed comments on the school place planning needs of all the sites proposed for allocation in the LPSCS, Proposed Changes and Further Proposed Changes, which are reaffirmed to AVBC regarding those proposed for retention in the Local Plan. Updated school place capacity information has been provided for the site at Hall Road, Langley Mill, based on the reduced scale of the housing development. The deletion of the sites in Quarndon and Belper would obviously raise no implications for school place planning if not taken forward in the Local Plan.

Flood Risk

Derbyshire County Council, as Flood Risk Authority, carried out assessments of the flood risk issues associated with all the sites proposed for allocation in the Proposed Changes and Further Proposed Changes. These comments remain relevant to those sites that are proposed for retention in the Local Plan.

Greenways/Public Rights of Way

Derbyshire County Council carried out assessments of the implications for, and likely impacts on, the Greenways and Public Rights of Way network associated with all the sites proposed for allocation in the Proposed Changes and Further Proposed Changes. These comments remain relevant to those sites that are proposed for retention in the Local Plan.

Minerals and Waste Issues

The minerals and waste comments set out the policy requirements of the Derby and Derbyshire Minerals and Waste Local Plan, which particularly highlight the need for AVBC to ensure that development of any of the

proposed strategic housing sites should not needlessly sterilise any mineral resources that exist on the site and that prior extraction of minerals should be encouraged where practicable and environmentally feasible, in advance of the development taking place. Furthermore, in the site selection methodology for the allocated sites, similar attention should also be paid to the proximity of any proposed strategic housing sites to an existing or permitted waste management facility, such that its continued operation is not prejudiced.

(3) **Financial Considerations** There are no financial considerations associated with this report.

(4) **Legal Considerations** The recommendation in this report is made in the context of the County Council's responsibilities and services under the provisions of the Localism Act 2011 and Planning and Compulsory Purchase Act 2004.

Other Considerations

In preparing this report the relevance of the following factors has been considered: prevention of crime and disorder, equality and diversity, human resources, environmental, health, property and transport considerations.

(5) **Key Decision** No.

(6) **Call-In** Is it required that call-in be waived in respect of the decisions proposed in the report? No.

(7) **Background Papers** Held on file within the Economy, Transport and Environment Department. Officer contact details – Steve Buffery, extension 39808.

(8) **OFFICER'S RECOMMENDATION** That the Cabinet Member authorises officers to respond formally to Amber Valley Borough Council on its consultation on the Revisions to the Further Proposed Changes to the Amber Valley Local Plan Part 1 Core Strategy, as described in the report with additional Technical Officer comments as appropriate.

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Our Ref: PM/SB/Amber Valley Local
Plan Revisions
Your Ref:
Date: 4 September 2015

Dear Mr Stafford

CONSULTATION ON REVISIONS TO THE FURTHER PROPOSED CHANGES TO THE AMBER VALLEY LOCAL PLAN PART 1 CORE STRATEGY

Thank you for consulting Derbyshire County Council (DCC) on the Revisions to the Further Proposed Changes to the Amber Valley Local Plan Part 1 Core Strategy (Revisions to Further Proposed Changes). DCC Members' comments and Officers' technical comments are given below. A report on the Revisions to Further Proposed Changes will be considered at DCC's Cabinet Member Meeting for Highways, Transport and Infrastructure on 29 September 2015. In the meantime, in order to meet the statutory deadline, I should be grateful if you would accept these comments until I confirm the decision made at the Cabinet Member Meeting following a five-day call-in period. I will contact you at that time to confirm DCC's formal comments.

DCC made provisional Members' and Officers' comments dated 10 December 2014 on the Further Proposed Changes to the Amber Valley Local Plan Part 1 Core Strategy (Further Proposed Changes). Those comments were formally agreed at DCC's Cabinet Meeting for Jobs, Economy and Transport on 20 January 2015 and sent to you on 26 January 2015. These comments were accompanied by a detailed officer assessment of the ten Strategic Allocation Sites in the Further Proposed Changes contained in a document called 'Site Allocations' Assessment by Derbyshire County Council (SAADCC).

The comments of DCC Members and Officers are provided in the context of the above, which is referred to as appropriate. The Officers' technical comments are split into two parts:

- a) General comments on the Revisions to the Further Proposed Changes;
and

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- b) Specific and detailed comments on the proposed housing and mixed-use sites, which are proposed for deletion or allocation in the Local Plan. The previous detailed site assessments provided in the SAADCC on the proposed allocations retained in the Revisions to the Further Proposed Changes remain largely relevant; however, they have been updated where necessary.

Local Member Comments

Local County Councillors with electoral divisions in Amber Valley Borough and South Derbyshire District were consulted on the Revisions to the Further Proposed Changes. Comments received are given verbatim below.

Councillor Stuart Bradford, Local Member for Duffield and Belper

The removal of the four hundred homes at Kedleston Road, Quarndon is to my mind the right decision, and I fully support the course of action taken which was a refusal by the planning board for outline planning consent followed by removal of the site as a strategic site in the emerging plan.

On a wider point, as I understand it, the site at Swanwick, known as Lily Street Farm, I believe, is still included for housing development. Given the strategic location of the site it was envisaged this would provide an exemplar new business park for the wider regeneration of Amber Valley, which I feel would have more benefit than the current proposals.

I, together with others, am hopeful that this plan can now move forwards with speedy resolution and determination by the Inspector.

Councillor Steve Freeborn, Local Member for Ripley East and Codnor

I have noted from Appendix 2 of the Revisions to the Further Proposed Changes that Alfreton Road, Codnor and Nottingham Road, Ripley have each been deleted from the list of strategic sites. Whilst there is no mention of this elsewhere in the AVBC report, can I take it that these sites have definitely been taken out of any allocation going forward?

On other matters within the Revised Strategy, I would comment as follows:

Removal of Amber Heights site – I support this recommendation.

Removal of Kedleston Road site – I oppose this recommendation. The site is unallocated 'white land', it abuts existing housing and has immediate access to the highway. The weight that AVBC has accorded the specialist Historical Report – cited by AVBC many times – is unreasonable as the approach has not been applied in an even-handed manner across the Borough.

Inclusion of Asher Lane, Ripley – I oppose this recommendation. The site is in use currently for commercial and employment purposes. Given the current shortage of commercial and employment land in the Borough it is irrational to allocate this site as housing.

Councillor Paul Jones, Local Member for Greater Heanor

I support the recognition of supporting no development within the green belt and the removal of proposals for the extension of the A610.

However, I have grave concerns over the removal of the proposed sites within the Kedleston and Belper area due to the expectation that the existing sites within the Borough will take up the slack.

The proposals to support higher density housing on existing sites will have a detrimental and disproportionate impact on the Heanor and Loscoe Town Council and Aldercar and Langley Mill areas as these two areas are amongst the highest number of such sites in the Borough. This will also have significant impact on our community's infrastructure, which is already suffering current housing developments.

The Greater Heanor Division, which I represent and includes this area, has grown by 9.1% since the 2001 census. This proposal, in addition to other building developments within my Division, will have a significant impact on the local infrastructure, such as highways, schooling, medical facilities etc.

The inclusion of Hall Road, Langley Mill is of concern for the site is traversed by the Derwent Aquaduct and will require a 6 metre buffer either side of any development, which will restrict the proposed number of houses identified by the Borough Council. There is also the flooding issue of this site. It is interesting that the building of the railway station at Ilkeston was delayed due to the need to provide adequate protection from flooding which may occur only every 100 years. This site has a potential to flood in a shorter time frame than that and, therefore, I believe the ability for this site to be delivered is seriously questionable.

Councillor Celia Cox, Local Member for Heanor Central

I oppose the inclusion of the site at Hall Road, Langley Mill as it is recognised as a flood risk area.

I am very disappointed in the removal of sites at Belper and, particularly, the site at Kedleston Road, Quarndon as I do not believe there would be significant harm.

The higher density proposed on existing sites would appear to be as a result of the removal of the above sites. This will result in smaller properties on smaller plots with little, if any, provision of play areas in the localities which I believe to be very detrimental to future generations and should be a consideration. There would also be a significant impact on the local infrastructure which, in areas, is already overstretched.

I am also concerned about the lack of proposed new housing provision in the rural villages of the Borough. There is a shortage of new housing in the rural areas to meet the needs of existing families and their children who wish to remain in the villages when they grow up and require a house of their own.

I am, however, pleased that the proposals in relation to the A610 are not being pursued.

Officer Comments

1 General Comments

- 1.1 Since making comments on the Further Proposed Changes, DCC Officers have continued to work jointly with Amber Valley Borough Council's (AVBC) Officers in considering the strategic infrastructure implications of the strategic sites proposed for allocation in the Further Proposed Changes, particularly relating to school place planning provision, impacts on the local highway network and various environmental impacts. Furthermore, planning applications have been submitted to develop a number of the proposed allocations for which DCC has provided detailed comments on the implications for strategic planning policy, infrastructure/service delivery and highways impact. These applications include proposals for mixed-use development on land at Lily Street Farm, Swanwick (600 dwellings, strategic employment development and a new primary school); and at Kedleston Road, Quarndon (400 dwellings). It is noted that the site at Lily Street Farm is proposed to be retained as an allocation in the Revisions to Further Proposed Changes, whilst the site at Kedleston Road is proposed to be deleted. See further comments below.

2 Housing Comments

- 2.1 DCC's Officers made extensive comments on the future housing provision requirements for the Derby Housing Market Area (HMA) as a whole and Amber Valley Borough as set out in the Proposed Changes to the Amber Valley Local Plan Part 1 Core Strategy (Proposed Changes) and Further Proposed Changes for the rebased Plan period from 2011 to 2028. In both cases, DCC's Officers were fully supportive of the housing provision requirements for the HMA and for Amber Valley Borough. The housing targets were considered appropriate to meet the objectively assessed housing needs (OAHN) of both the HMA and Amber Valley Borough and were based on extensive and robust evidence, which included extensive sensitivity testing now being widely advocated by Inspectors when examining local plan housing targets across the country.
- 2.2 Following a joint hearing session in November 2014, the two Inspectors appointed to examine the submitted Local Plan/ Core Strategies for Amber Valley and South Derbyshire wrote to the Derby HMA authorities on 10

December 2014 to confirm that, having taken account of new evidence commissioned by the authorities on the implications of the 2012-based Sub National Population Projections, the HMA's housing requirement of 33,388 for the period 2011 to 2028 did not need to increase from the target agreed by the four HMA authorities prior to the joint hearing session. The two Inspectors noted, however, that taking account of the stated capacity in Derby City of 11,000 dwellings and the then proposed housing provision targets for Amber Valley (9,651 dwellings) and South Derbyshire (12,341 dwellings), there remained a shortfall of 396 dwellings to meet the OAHN for 33,388 dwellings within the HMA.

- 2.3 Following the Inspectors' recommendations, the four HMA authorities resolved to continue to work together to address the shortfall through the Derby HMA Core Strategy Coordination Group and various Officer topic groups, and the Derby HMA Joint Advisory Board.
- 2.4 As a result of this further working, South Derbyshire District Council (SDDC) resolved on 2 March 2015 to increase its proposed housing provision requirement from 12,341 dwellings to a range of between 12,539 and 12,618 dwellings. Further work undertaken by Derby City Council (the City Council) has confirmed that capacity within the City is around 11,000 dwellings. As a result, there is a remaining requirement in the HMA of between 9,770 and 9,849 dwellings to meet the OAHN for 33,388 between 2011 and 2028.
- 2.5 In the context of the above, AVBC's proposal in the Revisions to Further Proposed Changes is welcomed and supported to increase its housing provision requirement for the Borough to a range of between 9,770 and 9,849 dwellings over the period 2011 to 2028. Together with the housing provision requirements being proposed by the City Council and SDDC, AVBC's proposed housing requirement would meet the OAHN requirement agreed by the two Inspectors for the Derby HMA in full.
- 2.6 It is noted that Appendix A to the Revisions to Further Proposed Changes sets out the potential land supply in the Borough to meet the revised housing requirement, including strategic allocation sites retained from the Further Proposed Changes and additional sites identified in the Revisions to Further Proposed Changes. Comments provided below and in the supporting Highways Statement appended to this letter, however, set out DCC's objection, in its capacity as Highways Authority, to the continued allocation of the site at Chesterfield Road, Alfreton for 300 dwellings on grounds that an acceptable and safe access to the site cannot be provided to serve the development. AVBC may need to review its assessment of potential future housing land supply to meet any shortfall that may arise should this site be deleted from the Local Plan on highways safety grounds.

Housing Distribution Issues

2.7 In comments made on the Proposed Changes and Further Proposed Changes, DCC Officers considered that:

- the broad scale and distribution of the proposed new housing allocation sites were broadly consistent with the spatial strategy set out in the Amber Valley Local Plan Core Strategy Submission (LPCSS);
- the level of housing provision proposed on the fringe of Derby was appropriate given the significant highways, school place provision, Green Belt and other environmental constraints that existed in the area; and
- the scale and broad location of growth in Belper was supported, in principle, as the town is a suitable and sustainable settlement to accommodate new growth.

2.8 In the Proposed Changes and Further Proposed Changes, AVBC proposed a range of new strategic allocation sites at Kedleston Road, Quarndon; Derwent Street, Belper; Bullsmoor/ Cherry House Farm, Belper; and Pottery Farm, Belper in order to address the concerns of the Local Plan Inspector that new sites should be identified in the Local Plan which would:

- be located in close proximity to Derby City to help meet some of the future housing needs arising in the City; and
- provide other sites in a range of different locations, such as towards the west of Amber Borough, to meet its wider future housing needs.

2.9 Whilst the site at Derwent Street, Belper was recently granted planning permission, the other proposed allocations at Quarndon and Belper have been removed from the Local Plan in the Further Proposed Changes and Revisions to Further Proposed Changes. Each of these allocations has been identified by AVBC as being likely to have significant adverse environmental impacts, particularly on the Derwent Valley Mills World Heritage Site (DVMWHS), its Buffer Zone and other important heritage assets, which make them unsuitable for allocation. See further comments below.

2.10 With the exception of Radbourne Lane, Mackworth, all the proposed allocations proposed for retention in the Local Plan are located in and around the settlements to the east of the Borough with none proposed to the west. Radbourne Lane, Mackworth is the only site located on the fringe of Derby that remains as a proposed allocation in the Local Plan. As given in their comments above, Councillors Cox, Freeborn and Jones have raised significant concerns about the imbalance of the housing provision proposed for retention being predominantly located towards the east of the

Borough. This would be likely to put significant pressure on strategic infrastructure in that part of the Borough.

- 2.11 AVBC is requested to consider the above concerns and to satisfy itself that the range of strategic allocation sites proposed to be retained in the Local Plan would make adequate provision for housing development to help meet future housing needs arising in Derby City and the Borough as a whole, particularly in the settlements to the rural west.

3 Highways Comments

Transport Evidence Base

- 3.1 In April 2014 DCC, as Highway Authority, submitted items of evidence to the Amber Valley Local Plan Examination in Public (EIP) that reflected its analysis of the transportation implications of the Local Plan. Details are contained in DCC's 'Amber Valley Local Plan Transportation Topic Paper'. This work was underpinned by traffic modelling work commissioned jointly by AVBC, the City Council, SDDC and DCC to support the preparation of the three HMA authorities' respective Local Plan/ Core Strategies. The traffic modelling works were carried out using the Greater Derby Area Transport Model (GDATM).
- 3.2 Following the EIP hearing session on 1 May 2014, the Inspector suspended the examination of the LPSCS to enable AVBC to carry out further work to demonstrate whether it could meet the OAHNs of the HMA and the Borough, and to identify a five year housing land supply. As part of this further work, additional strategic sites were included in the GDATM and further evaluation undertaken to assess the potential impacts of the then proposed additional sites.
- 3.3 At AVBC's Extraordinary Meeting on 15 October 2014, a number of the proposed strategic allocation sites were agreed to be deleted from the Local Plan:
- Amber Valley Rugby Club, Lower Somercotes (200 dwellings)
 - Land at Bradshaw Avenue, Riddings (90 dwellings)
 - Hall Road, Langley Mill (80 dwellings)
 - Pottery Farm, Belper (200 dwellings)
- 3.4 AVBC also agreed to delete the LPSCS's proposals for a Ripley Relief Road and the two previously proposed strategic housing sites supporting the Relief Road proposals on land off Nottingham Road, Ripley (560 dwellings) and Alfreton Road, Codnor (600 dwellings).

- 3.5 The Highway Authority acknowledges that, due to the need to meet a revised timetable for resuming the EIP, the traffic modelling work included the above sites (albeit excluding the then proposed Ripley Relief Road). This means that the 'with development' scenario in the traffic modelling work included an over provision of some 1,730 dwellings. It can therefore be assumed that the traffic modelling work is robust and based on a 'worst case' scenario.
- 3.6 The Revisions to Further Proposed Changes propose the deletion of strategic allocation sites at Kedleston Road, Quarndon (400 dwellings); Amber Heights, Ripley (60 dwellings); and Bullsmoor, Belper (250 dwellings). The latest proposals would see a further reduction of 710 dwellings, already included in the Traffic Model. Therefore, in view of the robust nature of the traffic modelling underpinning the transportation evidence base, the Highway Authority's conclusions remain as set out in Section 14 of its Amber Valley Local Plan Transportation Topic Paper (July 2015), a copy of which is enclosed with this letter. The main conclusions of the Topic Paper are:
- evidence gathered from the site specific modelling to date and consideration of the capacity and functioning of the transport network does not indicate that the combined impact of the Local Plan Core Strategy's proposed strategic sites would result in insurmountable difficulties. Mitigation solutions are currently being refined for sites where planning applications have yet to be determined; and
 - discussions will continue as further analysis becomes available and sites come forward through the planning process. This will ensure that mitigation options are tailored to provide the maximum possible benefit and facilitate the delivery of safe, accessible and sustainable development. DCC will continue to work with AVBC, particularly with regards to the delivery of transport infrastructure needed to support the development proposed through the emerging Amber Valley Local Plan.

Strategic Allocation Site at Chesterfield Road, Alfreton

- 3.7 For some time it has been DCC's position, as Highway Authority, that the proposed strategic allocation site at Chesterfield Road, Alfreton could not be safely and satisfactorily accessed directly from the A61 Chesterfield Road. This position was originally set out in response to AVBC's Preferred Growth Strategy in September 2012, when the site was first identified as a possible strategic housing allocation. The site was not included as a proposed allocation in the LPSCS but it was subsequently identified as a possible strategic housing allocation in the Proposed Changes and Further Proposed Changes.

- 3.8 Following its identification as a proposed housing allocation site in the Proposed Changes, DCC's Officers commenced discussions with the highway consultants of the site promoter to address the Highway Authority's concerns about providing a safe and satisfactory vehicular access to it directly from the A61. These discussions are ongoing, full details of which are set out in the 'Site at Chesterfield Road, Alfreton Highways Statement' enclosed with this letter.
- 3.9 In commenting on the Further Proposed Changes and in the absence of detailed information being submitted by the site promoter's consultants, DCC considered '...it necessary to express the view unequivocally that the Highway Authority remains unconvinced that a safe and satisfactory junction can be provided to serve the development, or that impact on the King Street (Alfreton) signals could be necessarily mitigated to an acceptable degree.'
- 3.10 Subsequently, the site promoter's consultants pursued a signalised junction design to the serve the site from the A61. DCC's Highway Officers considered, however, that whilst a theoretical layout could be achieved within controlled land, a junction could not be satisfactorily and safely implemented on a section of road subject only to the national 60 miles per hour speed limit.
- 3.11 In July 2015, the site promoter's consultants submitted an amended design to the Highway Authority which proposed a roundabout design to access the site directly from the A61. In its response of 3 August 2015, Highway Officers identified a significant number of design flaws, which included the use of a 70 kilometre per hour design speed that predicated the design on the implementation of a Traffic Regulation Order to reduce the speed limit. The information submitted, therefore, did not change the position of the Highway Authority that satisfactory access to the site was not considered achievable at that location.
- 3.12 In the context of the above and the Highway Authority's supporting statement, DCC maintains its position that the proposed strategic allocation site at Chesterfield Road, Alfreton cannot be safely and satisfactorily accessed from the A61 and, further, its development would result in unwarranted additional delays, queues and congestion at the existing A61/ High Street/ Church Street signalised junction to the south of the site. Consequently, DCC as Highway Authority objects to the allocation of the site in the Local Plan.

Strategic Comments on Other Proposed Allocations

Kedleston Road, Allestree (400 dwellings proposed for deletion)

- 4.1 DCC provided detailed strategic planning policy and strategic infrastructure and service delivery comments to AVBC on the proposed allocation of the Kedleston Road site, Quandon in its consultation responses to the Proposed Changes and Further Proposed Changes. In November 2014, DCC responded to a planning application consultation for the development of 400 dwellings, a convenience store and ancillary infrastructure on this site, including dated:
- 7 November 2014 as Highway Authority;
 - 11 December 2014 on strategic infrastructure and service delivery implications;
 - 27 January 2015 on strategic planning policy implications.
- 4.2 The strategic planning policy comments submitted on the Proposed Changes, Further Proposed Changes and the planning application concluded that the Kedleston Road site would:
- in location terms, be likely to provide a sustainable urban extension to the urban area of Allestree;
 - provide 400 new dwellings that would be well located to meet housing needs arising in the City of Derby; and
 - be located in an accessible location to public transport and a range of shops, services, facilities and employment opportunities in the City and wider area.
- 4.3 DCC expressed concerns, however, that the proposed development would be likely to have a significant adverse impact on the setting of Kedleston Hall and its Historic Park and Gardens and on the wider landscape and landscape character of the area, which it would be difficult to mitigate adequately. Although the applicant submitted further information on this issue, DCC maintained its position on the planning application that the site's proposed development for 400 dwellings would be likely to have a significant adverse impact as described above. Historic England also raised objection to the planning application on similar grounds.
- 4.4 It is noted reference is made in the Revisions to Further Proposed Changes that AVBC commissioned consultants, ECUS, to examine the potential impacts of the various proposed strategic sites and other potential proposed strategic sites being considered for allocation. In relation to the proposed allocation at Kedleston Road, the ECUS report concludes that:

'Development within the potential allocation is considered unsuitable based upon the potential harm upon the settings of several high value heritage assets. Development within the potential allocation would have harmful effects upon the settings and heritage significance of Kedleston Hall heritage asset group, Kedleston Hotel and the Quarndon Conservation Area.'

4.5 The proposed deletion of the allocation from the Local Plan is considered to be justified in the context of:

- DCC's significant concerns about the proposed development of the Kedleston Road site as set out above;
- the objection from Historic England;
- the conclusions of the ECUS report; and
- the recently refused planning application on grounds of its potential adverse impacts on the heritage assets in the area.

Bullsmoor Belper (150 dwellings proposed for deletion)

4.6 DCC provided detailed strategic planning policy and strategic infrastructure and service delivery comments on the proposed allocation of the Bullsmoor/ Cherry House Farm site, Belper in its consultation responses on the Proposed Changes and Further Proposed Changes, which considered that it:

- would form a sustainable urban extension to the main built up area of the town;
- be located in an accessible location to public transport and a range of shops, services, facilities and employment opportunities in Belper; and
- be reasonably well located to meet some of the future housing needs arising in Derby City.

4.6 Significant concern was expressed, however, about its potential adverse impacts on:

- the Outstanding Universal Value (OUV) of the DVMWHS and its Buffer Zone;
- the landscape character of the area; and
- the area of green wedge, which separates the main urban area of Belper from Openwoodgate.

4.7 DCC considered that these potential impacts needed further detailed investigation and analysis.

4.8 It is noted that the ECUS report concluded:

'Development within the potential allocation would be harmful upon the attributes of the OUV of the DVMWHS and to the heritage significance of the Belper and Milford Conservation Area, Grade II listed Pottery Farmhouse at Bullsmoor and non-designated Bullsmoor farmhouse.'

- 4.8 It is also noted that Historic England raised objections to the proposed allocation of the site in the Further Proposed Changes and, on the basis of the conclusions of the ECUS report, reaffirmed its objections to AVBC.
- 4.9 In the context of DCC's concerns given above, the conclusions of the ECUS report and the reaffirmed objections by Historic England, it is considered appropriate that the proposed Bullsmoor allocation is deleted from the Local Plan.

Amber Heights, Ripley (60 dwellings proposed for deletion)

- 4.10 DCC provided detailed strategic planning policy and strategic infrastructure and service delivery comments on the proposed allocation of the Amber Heights site, Ripley in its consultation responses on the Proposed Changes and Further Proposed Changes, which considered that it:
- would provide for a reasonably good sustainable urban extension to the urban area of Ripley;
 - be in an accessible location to a range of shops, services, facilities and employment opportunities in Ripley and the wider area; and
 - be reasonably well located to meet some of the housing needs arising in the Borough and Derby City.
- 4.11 However, the provision of a suitable access would be a key issue in determining its acceptability for housing development, given previous difficulties relating to a residential planning application for the site regarding provision of vehicular access from Heage Road due to capacity constraints.
- 4.12 It is understood from the Revisions to Further Proposed Changes that the allocation is proposed for deletion because the site promoter no longer wishes to pursue its development. Given that the Local Plan Inspector will need to be satisfied that any proposed allocations have a realistic prospect of being delivered within 5 years or over the Plan period as a whole, it is considered appropriate that the site is deleted, given the unlikely prospect of it being brought forward for development.

Hall Road, Langley Mill (80 dwellings proposed for inclusion)

- 4.13 DCC provided detailed strategic planning policy and strategic infrastructure and service delivery comments on the proposed allocation of the Hall Road

site, Langley Mill in its consultation response on the Proposed Changes, which considered that it:

- would provide for a reasonably good sustainable urban extension to the urban area of Langley Mill; and
- be located in an accessible location to public transport and a range of shops, services, facilities and employment opportunities in Langley Mill and the wider area.

4.14 However, DCC's assessment of the Flood Risk implications indicated that the site had a medium 1 in 100 and medium 1 in 1000 risk of surface water flooding and was located in Flood Zone 2 with a medium risk of fluvial flooding from the River Erewash. It was noted that the site was deleted from the Local Plan and not carried forward into the Further Proposed Changes on grounds that it was partially in the flood plain and at risk from flooding from the River Erewash.

4.15 The Revisions to Further Proposed Changes have reinstated the site as a result of further information submitted by the site promoter and because the Environment Agency (EA) has raised no objections to its proposed allocation.

4.16 County Councillors Cox and Jones have raised significant concerns set out above about its proposed allocation due to flood risk. In view of these concerns and DCC's assessment provided in its capacity as Local Flood Risk Authority on the flood risk history of the site, AVBC is asked to consult DCC to consider these implications further.

4.17 The proposed site is underlain by coal resources therefore the site promoter is advised to liaise with the Coal Authority to determine the extent of workable coal resources. Paragraph 143 in the NPPF encourages the prior extraction of minerals where practicable and environmentally feasible, in cases where it is considered necessary for non-mineral development to take place on the site. In addition, policies in the emerging Derbyshire and Derby Minerals Local Plan will seek to safeguard the full extent of the surface coal resource in the Plan area in order to ensure that the presence of workable minerals is taken into account in the consideration of proposals for non-mineral development. It will be important, therefore, for any future applicants to consider the extent of coal underlying their sites and the feasibility of extracting this resource prior to site development. See also Section 8 below.

Lily Street Farm, Swanwick (600 dwellings proposed for inclusion)

4.18 DCC provided detailed strategic planning policy and strategic infrastructure and service delivery comments on the proposed allocation of the Lily Street

Farm site and 25 ha of strategic employment land in its consultation responses on the Proposed Changes and Further Proposed Changes, which:

- supported the principle of allocating it for a strategic housing and employment mixed-use development site, subject to the need for further investigation relating to the highways impacts, school place planning needs and environmental impacts, particularly on landscape and landscape character.

4.19 DCC has since responded to a planning application consultation for 600 dwellings, 25 hectares of strategic employment land and a new primary school on the site. Various outstanding issues remain relating to school place planning needs and impacts on highways, ecology, landscape and landscape character. Additional information recently submitted by the applicants to address these issues is being considered by DCC's Officers.

5 Education Provision Comments

5.1 Work in progress on the South Derbyshire Education Strategy (SDES) is being carried out to consider the implications of future housing growth proposed in the Local Plan/ Core Strategies of the three HMA authorities, including AVBC, on the periphery of the City of Derby. Following a public consultation exercise earlier this year, Officers are reviewing responses received and updating the assessment of the initial four scenarios to reflect these responses better. Members of the public put forward a number of alternative potentially suitable locations for a new secondary school, which are subject to initial assessment work to ascertain their suitability.

5.2 Once this assessment work is completed, it is anticipated that a report will be presented to DCC's Cabinet, which considers the outcome of the first consultation exercise and sets out the further assessment work undertaken in respect of the alternative locations. This report will also seek approval to undertake a further round of public consultation in respect of these alternative locations. Following a further round of consultation, if approved, DCC will be in a position to start the identification of a preferred reserve site for a new secondary school.

5.3 DCC provided detailed comments on the school place planning implications of all the proposed housing allocation sites in the LPSCS, Proposed Changes and Further Proposed Changes. The need for additional school places generated by the housing allocations proposed for retention in the Local Plan will require continued dialogue between the schools likely to be affected by extensions or new schools that are built within their areas, DCC and the three HMA authorities. DCC and the City Council's School Place Planning Teams will continue to lead these discussions.

- 5.4 DCC has also provided comments on the school place planning requirements of the various planning applications for housing development referred to it by AVBC relating to a number these proposed allocations. Those comments remain relevant to the proposed housing allocations proposed for retention in the Local Plan and set out in Appendix 1 to the Revisions to Further Proposed Changes.

Updated School Place Planning Requirements

- 5.5 The three proposed allocations at Kedleston Road, Quarndon; Bullsmoor, Belper; and Amber Heights, Ripley now intended for deletion would raise no implications for school place planning needs if they are not taken forward in the Local Plan. However, if the applicants go to appeal regarding the recently refused planning application for the Kedleston Road site, Quarndon, AVBC is requested to consult DCC for updated comments on the school place planning implications of the proposed development.
- 5.6 The site at Hall Road, Langley Mill has been reinstated in the Local Plan as a proposed reduced allocation for 60 from 80 dwellings. DCC has therefore provided updated comments below on the school place planning requirements in the context of the reduced scale of the proposals and updated capacity figures for relevant schools.
- 5.7 This proposed site is within the normal areas of Aldercar Infant and Nursery School and Langley Mill Junior School. Aldercar Infant and Nursery School has a current net capacity of 120 pupils and is projected to have 103 pupils on roll in five years. Langley Mill Junior School has a current net capacity of 280 pupils and is projected to have 244 pupils on roll in five years. Development of 60 dwellings at this site would generate approximately 12 primary school pupils.
- 5.8 There may be a need to provide additional infant places at Aldercar Infant and Nursery School but it would depend when a planning application was submitted and what surplus capacity was available at the school at that time. Based on the current projections, Langley Mill Junior School would have sufficient capacity to accommodate the additional junior pupils generated by development of this site at this time.
- 5.9 For secondary and post-16 provision, the site is within the normal area of Aldercar Community Language College, which has a current net capacity of 1,173 and is projected to have falling pupil numbers with 603 pupils on roll in five years. Sixty dwellings at this site would generate approximately 9 secondary and 1 post-16 additional pupils.
- 5.10 There is a capital project to address building condition issues at Aldercar Community Language College and the net capacity of the school will be reduced to 700 as a result of that project. It is likely that the additional

secondary pupils could be accommodated, but at the time of a planning application, if there is no surplus capacity and additional places are required, funding for additional places via developer contributions would be needed.

6 Flood Risk

- 6.1 In its capacity as Local Flood Risk Authority, DCC's Officers carried out an assessment of the flood risk issues associated with the proposed new housing and employment allocations in the Proposed Changes and Further Proposed Changes. These assessments remain relevant to those proposed allocations to be retained in the Local Plan. They were carried out for each site in relation to surface water, fluvial and ground water flooding risk as well as an overview of historic flood events and the suitability for Sustainable Urban Drainage Systems (SuDS). The assessments provided should act only as a guide and are open to interpretation. It should not be taken as a Flood Risk Assessment as the data provides a general overview of what is known about the sites, based on the datasets held and has not been looked at in detail.
- 6.2 AVBC is requested to contact DCC's Flood Risk Management Team for further advice and information on the assessments. If AVBC wishes to provide DCC's Officers with electronic GIS mapping for each site, a more detailed modelling response could be provided in due course.

7 Greenways / Public Rights of Way

- 7.1 The DCC Greenways Strategy identifies a network of multi-user routes for walkers, cyclists, horseriders and those with mobility difficulties. Wherever possible, these multi-user routes aim to provide traffic free paths linking communities, places of work, education, leisure facilities and the surrounding countryside. The Greenway Strategy also proposes improvements to provide on-road facilities, if off-road opportunities do not exist. The Greenway Strategy is in line with the Derbyshire Local Transport Plan, The Rights of Way Improvement Plan and the Derbyshire Infrastructure Plan.
- 7.2 DCC's Greenway and Public Rights of Way Officers carried out an assessment of the proposed allocations in the Proposed Changes and Further Proposed Changes for their potential implications for, and impacts on, the Greenways and Public Rights of Way network in Amber Valley Borough. These assessments remain relevant to the proposed allocations proposed for retention in the Local Plan.

8 Minerals and Waste Issues

- 8.1 DCC and the City Council are working together to prepare a new Joint Minerals Local Plan covering the period to 2030, which will replace the existing Derby and Derbyshire Minerals Local Plan adopted April 2000 – Incorporating the First Alteration: Chapter 13 – Coal (November 2002).
- 8.2 The responsibility for defining Minerals Safeguarding Areas in accordance with paragraph 143 of the NPPF rests with DCC as the Mineral Planning Authority.
- 8.3 With reference to the definition of “Minerals Safeguarding Area” in the Glossary of the NPPF, there is a need to identify those mineral resources “which are desired to be kept safeguarded from unnecessary sterilisation by non-mineral development”. An issue for defining Mineral Safeguarding Areas in the Local Plan Area will be to determine which mineral resources in the City and the County need to be safeguarded. As part of this, the approach to the safeguarding of the surface coal resource will need to be addressed.
- 8.4 Furthermore, in line with paragraph 143 of the NPPF, the new Derbyshire and Derby Minerals Plan will need to reflect a policy approach such that “known locations of specific minerals resources of local and national importance are not needlessly sterilised by non-mineral development..” and that the prior extraction of minerals is encouraged where practicable and environmentally feasible, in advance of other development taking place.
- 8.5 The existing Derby and Derbyshire Minerals Local Plan is part of the development plan for Amber Valley Borough and there are saved policies which are relevant to these issues. The analysis of, and the selection methodology for, the additional strategic sites that are proposed to be retained in the Local Plan sites should be developed in consideration of the NPPF, National Planning Practice Guidance (NPPG) and the Minerals Local Plan saved policies, including Policy MP 17: Safeguarding Resources and Policy MP 27: Coal Extraction and Colliery Spoil Disposal. Both MP policies seek to safeguard a mineral resource and ensure that economically workable mineral deposits are extracted in advance of other development, unless this would give rise to unacceptable impacts or lead to excessive delays for the development. A significant part of Amber Valley Borough is underlain by the surface coal resource. Co-operation should take place in respect of this, for example, in relation to all possible mineral resources likely to be found on the sites and any mineral sterilisation issue affecting a particular site, including whether the minerals that might be sterilised should be extracted prior to non-mineral development taking place.
- 8.6 In addition, national guidance for the safeguarding of minerals infrastructure is set out in paragraph 143 of the NPPF, which states that “...local planning authorities should...safeguard:
- existing, planned and potential rail heads, rail links to quarries, wharfage and associated storage, handling and processing facilities for the bulk

- transport by rail, sea or inland waterways of minerals, including recycled, secondary and marine-dredged materials; and
- existing, planned and potential sites for concrete batching, the manufacture of coated materials, other concrete products and the handling, processing and distribution of substitute, recycled and secondary aggregate material.”
- 8.7 The NPPG states that planning authorities should safeguard existing, planned and potential storage, handling and transport sites to:
- ensure that sites for these purposes are available should they be needed; and
 - prevent sensitive or inappropriate development that would conflict with the use of sites identified for these purposes.
- 8.8 The NPPG explains further that in areas where there are county and district authorities, responsibility for safeguarding facilities and sites for the storage, handling and transport of minerals in local plans will rest largely with the district planning authority. Exceptions will be where such facilities and sites are located at quarries or aggregate wharves or rail terminals.
- 8.9 It concludes by stating that planning authorities should consider the possibility of combining safeguarded sites for storage, handling and transport of minerals with those for the processing and distribution of recycled and secondary aggregate. This will require close co-operation between planning authorities.
- 8.10 In selecting strategic sites for housing, AVBC should have regard to the need to safeguard facilities and sites for the storage, handling and transport of minerals such that their continued use and availability for use is not prejudiced by new housing developments.
- 8.11 Furthermore, in the site selection methodology for these additional sites, similar attention should also be paid to the proximity of any proposed strategic housing site to an existing/ permitted waste management facility such that its continued operation is not prejudiced.

I hope these comments are of assistance in your assessment of the proposed housing and employment allocations in the Revisions to the Further Proposed Changes. Please contact Steve Buffery should you wish to discuss these comments further.

Yours sincerely

Christine Massey
Policy and Monitoring Team Leader

DERBYSHIRE COUNTY COUNCIL
ECONOMY TRANSPORT & ENVIRONMENT

Amber Valley Borough Council – Revisions to the Further Proposed Changes to the Local Plan Part 1 Core Strategy

Site at Chesterfield Road, Alfreton

Derbyshire County Council (DCC) has been consulted by Amber Valley Borough Council (AVBC) on its Revisions to the Further Proposed Changes to the Submitted Core Strategy: Part 1 of the Amber Valley Borough Local Plan (Revisions to Further Proposed Changes).

Previously consultations have been undertaken by AVBC in July 2014 on the Proposed Changes to the Submitted Core Strategy: Part 1 of the Amber Valley Local Plan (Proposed Changes) and, in October 2014, on the Further Proposed Changes to the Submitted Core Strategy: Part 1 of the Amber Valley Local Plan (Further Proposed Changes). These documents were published for consultation by AVBC following the suspension of the Amber Valley Local Plan Examination in Public (EIP) in May 2014 and the Local Plan Inspector's subsequent request for AVBC to carry out further work to address his 'soundness' concerns on housing needs, shortfall in five year housing land supply, and delivery of key strategic housing allocations.

With further regard to the latter issues the July 2014 Proposed Changes consultation document proposed a series of changes to the Core Strategy including 14 new allocated sites. One of these sites was that at Chesterfield Road, Alfreton, lying to the north of the town and directly east of the A61 principal road.

It has, for some time, been the position of the County Council as Highway Authority that this site could not be satisfactorily accessed directly from the A61 Chesterfield Road. Indeed, this position is set out in the AVBC Preferred Growth Strategy document of September 2012 which indicated that "It is not likely that direct vehicular access to the site from the A61 would be permitted because of the operating speed on the A61 and the presence of passing lanes in the area of the site" and, further, "To access this site, the B6025 (Park Lane) to the north would need to be used. This is within the administrative area of North East Derbyshire District Council and [intervening land] is in separate ownership. These represent significant constraints to the development of the site." Accordingly, allocation of the site was not pursued until the decision by AVBC to include it as one of the 14 new sites in the July 2014 Proposed Changes consultation.

Notwithstanding the consistently expressed position of the Highway Authority regarding access it undertook to discuss the prospect of access arrangements with transport consultants acting for the site promoters. A meeting was held on 26 August 2014 with a representative of Waterman Infrastructure & Environment whereat it was indicated that a traffic signal controlled junction was being considered. However, no design or supporting information was provided.

As indicated above AVBC consulted upon Further Proposed Changes in October 2014. The Further Proposed Changes reduced the number of site allocations to 10 but continued to include that at Chesterfield Road, Alfreton. Policy SG10: Chesterfield Road, Alfreton indicated that “proposals will need to comprise a comprehensive development scheme, which will also need to involve [amongst other things] The creation of a satisfactory access to the site from the A61 and measures to mitigate any potential traffic impacts on the surrounding highway network”.

In a letter dated 10 December 2014 the County Council advised AVBC that “A meeting was held with the site promoter’s consultants in August 2014, in order to clarify the position of the Highway Authority both in terms of the site access and the impact of generated traffic on the King Street signals to the south. Since that time no further information has been received from the consultants. DCC considers it necessary to state unequivocally that the Highway Authority remains unconvinced that a safe and satisfactory junction can be provided to serve the development, or that impact at the King Street signals could necessarily be mitigated to an acceptable degree.”

Subsequent to the above the consultants engaged with the Highway Authority between January and March 2015, pursuing a signalised junction design. Whilst a theoretical layout could be achieved within controlled land the Authority did not consider that a junction could be satisfactorily and safely implemented on a section of road subject only to the national 60 mph speed limit.

The consultant’s submission was predicated on the making of a Traffic Regulation Order to reduce the speed limit to 40 mph on this section of Chesterfield Road. However, such a process is outside the planning system and cannot be guaranteed to reach a satisfactory conclusion. In this case consultation was also undertaken with Derbyshire Constabulary. The police share the concerns of the Highway Authority with regard to this proposal.

Traffic Advisory Leaflet 2/03 provides guidance for the siting of signals on high speed roads, given the collision risk linked to driver reaction to changing signals. At the site in question it is considered that signs alone would not guarantee compliance and from an enforcement perspective simply reducing the speed limit on approach is unlikely to achieve compliance given the road geometry and topography. Accordingly, introducing a 40 mph limit does not provide sufficient mitigating

measures since the ability to enforce, or the success of associated enforcement, is highly questionable.

In early June 2015 the site promoter requested, through AVBC, a meeting to consider alternative access provision to the site. However, it was not until 23rd July 2015 that design in sufficient detail (of a roundabout scheme) for consideration was submitted. DCC responded on 3rd August 2015 identifying a significant number of flaws within the design. This included the use of a 70 kph design speed, therefore, again, predicated the design on the implementation of a Traffic Regulation Order to reduce the speed limit. The information submitted did not therefore engender a change in the position of the Highway Authority that satisfactory access is not considered achievable at this location.

The A61 is the principal transport route linking between Alfreton in the south and Sheffield in the north, through the market town of Chesterfield and former mining town of Clay Cross, as well as a number of dormitory villages. To the south of Alfreton the A61 links to the A38 Trunk Road, forming the route between M1 Junction 28 to the east with Derby and beyond to the south-west.

The route is congested at its major junctions and pinch-points during the morning and evening peak periods. Congestion sometimes spreads to the adjacent road network preventing traffic from joining it, compounding local congestion. The signalised junction to the south of the site, formed by the A61 Chesterfield Road / King Street, B600 High Street and Church Street has capacity limitations, is constrained, and incapable of physical improvement without third party land acquisition.

In view of the above the traffic generated as a consequence of development of the site would add to queues, delays and congestion at the junction, particularly bearing in mind the attractors of the A38 Trunk Road and M1 Motorway in that direction. Congestion would further impact upon the operation of public transport in the town, particularly as there are no readily available alternative routes.

In conclusion Derbyshire County Council as Highway Authority maintains the position that the Chesterfield Road, Alfreton site cannot be safely and satisfactorily accessed from the A61 and, further, that development of the site would result in unwarranted additional delays, queues and congestion at the existing A61 / High Street / Church Street signalised junction to the south. It therefore objects to the allocation of the site within the Local Plan.

Highways Development Control

August 2015