

Highways Statement of Common Ground

Between:

Wulff Asset Management Limited (Appellant)
And
Erewash Borough Council (Planning Authority)

In Respect of:

Land at Sowbrook Lane, Stanton by Dale

Appeal Ref:

APP/N1025/W/23/3319160

LPA Reference:

ERE/0722/0038

Date:

11 July 2023

Highways Statement of Common Ground Land at Sowbrook Lane, Stanton By Dale

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Highways Statement of Common Ground

Land at Sowbrook Lane, Stanton By Dale

1.0 Introduction

- 1.1 This Highways Statement of Common Ground (HSoCG) has been prepared jointly between Wulff Asset Management Limited (the ‘appellant’) and Erewash Borough Council (EBC) (the ‘Local Planning Authority’ or ‘LPA’) with respect to the appellant’s appeal against the decision of the LPA to refuse planning application reference ERE/0722/0038 (‘the appeal application’) at Land at Sowbrook Lane, Stanton By Dale (‘the appeal site’).
- 1.2 The Local Highway Authority (LHA) originally objected to the planning application in their response dated 23rd September 2022. This objection formed the basis of reasons for refusal 2 and 3.
- 1.3 A Transport Assessment Addendum (ref 450-TA-02-0, March 2023) was prepared and following discussions with the Local Highway Authority (LHA) and their officer Nigel Atkinson and commitments to additional works; the LHA’s objection and reasons for refusal 2 and 3 have been removed. The LHA have stated that whilst reason for refusal 1 includes highway elements it was not recommended by the LHA and is not supported by them. A copy of the latest response from the LHA is included in **Appendix A**.
- 1.4 This SoCG sets out the agreed position with the LPA in respect of the following:
- Highway Impact
 - Highway Safety
 - Accessibility

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2.0 Agreed Matters

2.1 Highway Safety and Capacity

2.1.1 MAC Pre-planning Engineering has prepared the following documentation which was submitted to support the original planning application:

- Transport Assessment (450-TA-01-A, April 2022)
- Framework Travel Plan (450-TP-01-0, April 2022)

2.1.2 The LHA raised an objection to the original submission upon which the application was refused. Post refusal a Transport Assessment Addendum has been produced as follows:

- Transport Assessment Addendum (450-TA-02-0, March 2023)
Included within the above document:
 - Proposed Access off Sowbrook Lane (450-TA10B) in Appendix B
 - Proposed Access off Ilkeston Road (450-TA13A) in Appendix B
 - Possible Bus Stop Locations (450-TA17) in Appendix B
 - Proposed Footway Improvement (450-TA14A) in Appendix C

2.1.3 In addition to the Addendum subsequent engagement with the LHA has led to the following additional works being agreed between the appellant and the LHA as follows:

- i. Provision of a footway link between the development site and the proposed footway link to the east of Ilkeston Road. This link can be seen on drawing 450-TA16A see **Appendix A**.
- ii. The number 14 bus service will be upgraded with developer funding to provide an hourly service between 0700-1900 Monday to Saturday with an enhanced 30 minute frequency between 0700-0900 and 1600-1800.

2.1.4 For completeness the offsite works which have been committed to with the Transport Assessment and Addendum are summarised below plus the above two points.

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- iii. Footway to Kirk Hallam to be upgraded to provide a typical width of 2.0m but no less than 1.8m.
 - iv. Uncontrolled crossings with pedestrian refuges will be provided across Sowbrook Lane to access this footway from the development site.
 - v. Provide a new 2m footway along the site frontage of Ilkeston Road.
 - vi. The existing informal footway along the north western edge of the site will be provided as a 3m wide shared footway / cycleway. This will form part of a wider improvement strategy for cycling in the area as identified by the LHA and connected with the above mentioned footway / cycleway improvements on Ilkeston Road.
 - vii. New bus stops will be provided on Ilkeston Road to access the existing and improved bus service.
 - viii. Framework Travel Plan
 - ix. Nil Detriment improvements to J1 Ilkeston Road / Sowbrook Lane / Lows Lane
 - x. Nil Detriment improvements to J2: Lows Lane / Littlewell Lane
- 2.1.5 The above listed improvements could be delivered through appropriate conditions or S106 obligations.
- 2.1.6 The LHA have approved the above documentation in combination as acceptable and showing that the proposed development would not have an adverse impact on the highway capacity or safety. By raising no objection, reasons for refusal 2 and 3 are no longer being pursued by the LHA or LPA.
- 2.1.7 It is agreed that the proposals will not have a detrimental impact on highway safety.

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2.2 Accessibility

2.2.1 The proposed development has the following walking, cycling and public transport connections:

Walking

2.2.2 An improved up to 2m wide footway is to be provided adjacent to Sowbrook Lane linking the site with Kirk Hallam to the northwest.

2.2.3 A footway / cycleway connection is to be provided along with S106 contributions to the north providing a continuous link to the walking infrastructure within Ilkeston. Details of the section to be provided by the appellant is shown on the drawing enclosed in **Appendix A**.

2.2.4 Footways on the eastern side of Ilkeston Road provide walking routes to the New Stanton Park development opposite the site, along with the other employment sites already in this location.

Cycling

2.2.5 Sowbrook Lane can be used by cyclists to reach Kirk Hallam.

2.2.6 A further cycle route exists to the east via the existing Nutbrook Trail or the New Stanton Park Development which is delivering a footway / cycleway connections. This route option would provide an off-carriageway connection to Merlin Way / Crompton Road which would allow a supermarket to be accessed within a 3.9km cycle ride.

2.2.7 The off road cycling provision agreed with the LHA would allow cyclists to avoid the narrow bridge on Ilkeston Road.

Public Transport

2.2.8 The development will provide bus stops on Ilkeston Road.

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2.2.9 The existing No. 14 bus service will be enhanced to provide an hourly bus service from 0700-1900 Monday to Saturday with an enhanced 30-minute frequency between 0700-0900 and 1600-1800. This service will also provide a peak time service to the existing and permitted employment sites off Lows Lane and Littlewell Lane, which does not otherwise exist.

Proximity to Services

2.2.10 The proximity of the site to amenities via walking or cycling is set out in the main Statement of Common Ground but is repeated here for simplicity. This table was prepared before the new Ilkeston Road footway / cycleway connection was committed which means there will now also be opportunities to use sustainable modes of travel to the north via Ilkeston Road.

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Destination	Distance (m)	Journey Time (minutes)	
		Walk	Cycle
Via Sowbrook Lane			
New Stanton Park – Employment	Adjacent – 800m	<1-9	<1-3
Kirk Hallam Social Bar	700m	8	3
Dallimore Primary School	740m	9	3
Kirk Hallam Community Centre	1,100m	13	5
Butterfly Castle Day Nursery	1,100m	13	5
Kirk Hallam Local Centre:			
- Doctors			
- Pharmacy			
- Dentist			
- Convenience Store	1,200m	14	5
- Post Office			
- Hairdressers			
- Takeaway			
Co-op Convenience Store / PFS	1,400m	17	6
Takeaway – Captain Kirk Fish & Chips	1,400m	17	6
All Saints Church	1,400m	17	6
Ladywood Primary School	1,400m	17	6
Kirk Hallam Community Academy (Secondary)	2,300m	27	10
St John Houghton Catholic School (Secondary)	2,400m	29	10
Via Ilkeston Road			
Leisure – Nut Brook Trail (adjacent)	100	<1	<1
New Stanton Park – Employment	Adjacent – 800m	<1-9	<1-3
Quarry Hill Industrial Park	700m	-	3
Ilkeston Library	2500	-	10
Supermarket	3900	-	15

Note: Assumes average walking speed of 1.4m/s and average cycling speed of 4m/s

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2.2.11 The above amenities are accessible on foot within 30minutes and typically less than 20mins at a walking pace of 1.4m/s or 5kph. Facilities can be accessed much quicker via bicycle. Also, use of public transport is an option for Ilkeston’s facilities.

3.0 Matters of Disagreement

3.1 The following matters are not agreed:

- Whether the appeal site is located such that it is sufficiently accessible to services on foot and the quality of the walking route to these services.
- Quality of cycling routes to services.
- Whether appropriate opportunities will be available to residents of the site to use sustainable forms of transport to access services.
- Whether the measures agreed with the LHA as part of the transport assessment are sufficient to overcome concerns of the LPA over the quality of walking and cycling routes to services
- Whether matters relating to the internal layout of the appeal site, which are not under consideration, are relevant to this inquiry
- Whether walking and cycling options to the north via Ilkeston Road is appropriate.

Signatures

Martin Andrews, Director, MAC



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(for and on behalf of the appellant)

James Grundy, Erewash Borough Council



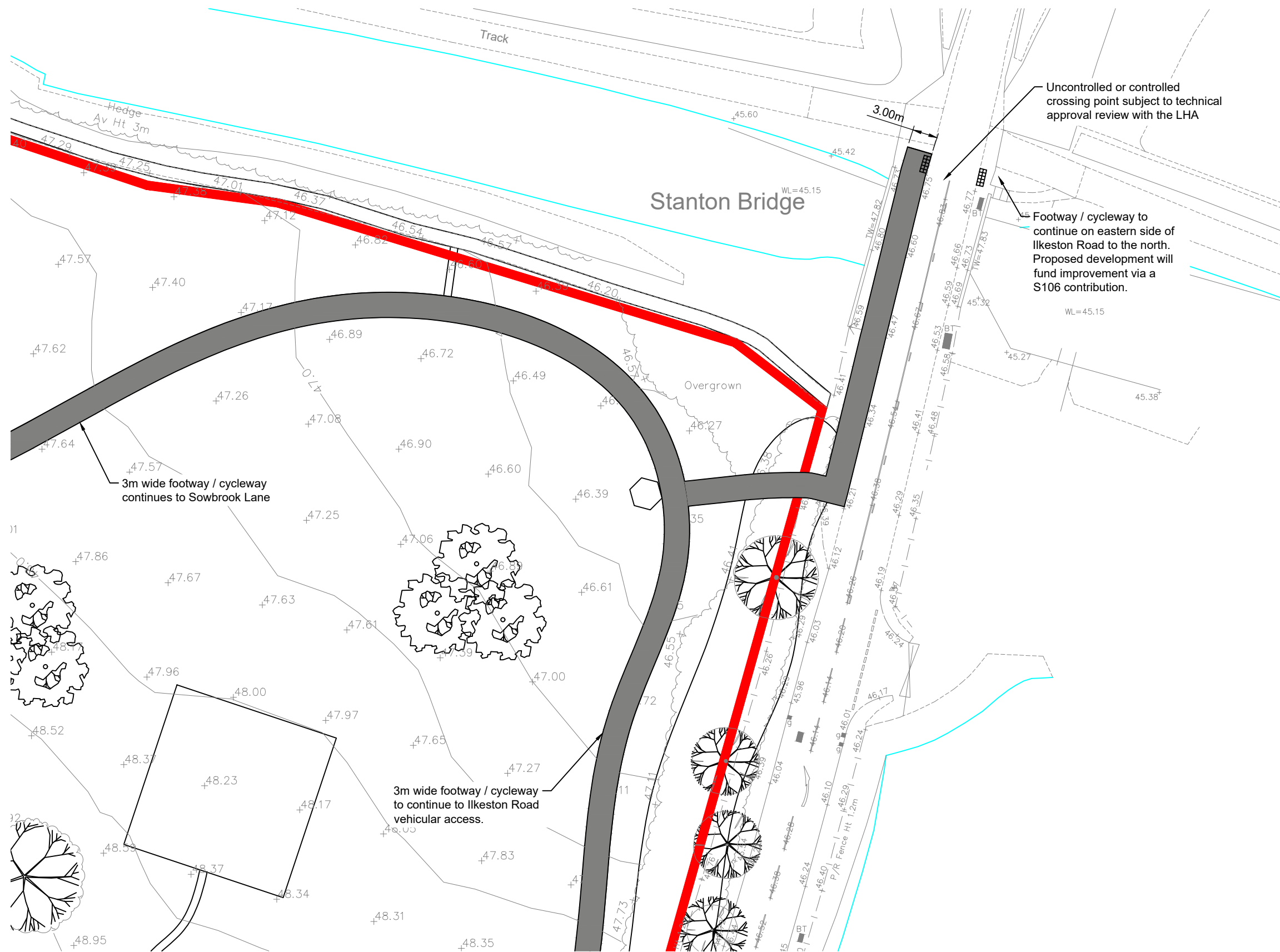
.....21/7/2023.....

(for and on behalf of Erewash Borough Council)

Highways Statement of Common Ground Land at Sowbrook Lane, Stanton By Dale

Appendix A

Proposed Footway / Cycleway on Ilkeston Road
MAC drawing no. 450-TA16A




Notes:

1. Based on Topographical Survey by JPP, project number 23775, drawing number 01 dated September 2021.
2. Drawing based on Ordnance Survey mapping. ©Crown Copyright and database rights 2022 OS Licence no.AC0000849896.
3. Based on Indicative Masterplan by RDC Development Consultants, drawing number RDC1146/002 dated February 2022.

Key

- Site Boundary
- Proposed Footway / cycleway

 <p>T: 01604 340544 Northampton Office E: info@mac-ltd.co.uk W: mac-ltd.co.uk Martin Andrews Consulting Ltd</p>	<ul style="list-style-type: none"> • Transport Assessments • Flood Risk Assessments • Highway Advice • Access Design • Drainage Strategies • Vehicle tracking 	<p>Client: Wulff Asset Management</p>	<p>Project: Land at Ilkeston/Sowbrook Rd Ilkeston</p>
		<p>Title: Proposed Footway / Cycleway on Ilkeston Road</p>	<p>Date: 30.06.23</p> <p>Drw: MJA</p> <p>Chk: MJA</p>
<p>Drawing No: 450-TA16</p>	<p>Revision: A</p>	<p>Scale: 1:500</p> <p>Size: A3</p>	