

## PLANNING COMMITTEE – 20<sup>th</sup> February 2024

**Reference Number:** 24/00078/DISCON

**Application expiry:** 25/03/24

**Application Type:** Discharge of condition

**Proposal Description:** Application to discharge condition 45 (Works in Highway) pursuant to planning application 23/00601/FL

**At:** Masterplan site covering land roads and buildings to the north and west of Broadleys, Clay Cross

**For:** North East Derbyshire District Council

**Third Party Reps:** None

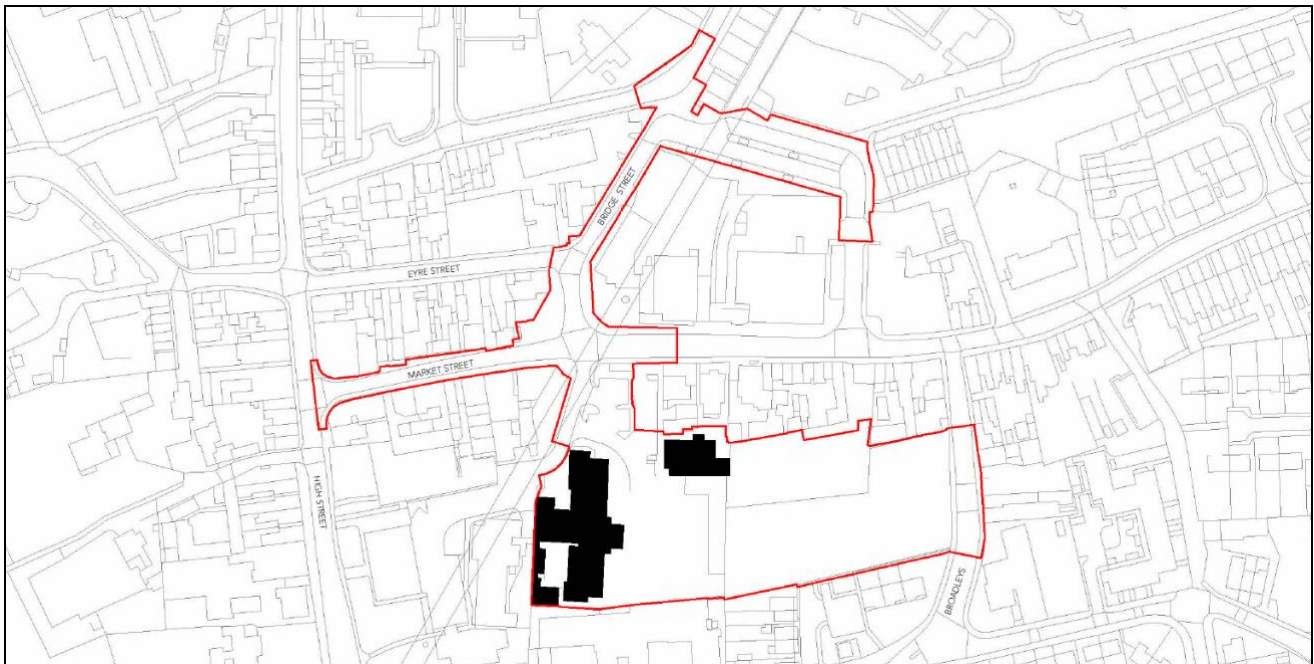
**Parish:** Clay Cross

**Ward:** Clay Cross North

**Report Author:** Graeme Cooper

**Date of Report:** 7<sup>th</sup> February 2024

**MAIN RECOMMENDATION:** Approve the submitted details



*Figure 1: Location plan, with site edged in red*

## **1.0 Reason for Report**

- 1.1 Members of planning committee asked to review the details which would be submitted in order to address this condition when approving the wider Clay Cross Town Deal development.

## **2.0 Proposal and Background**

### **Site Description**

- 2.1 The application site (see Figure 1 above) covers a large area of Clay Cross, with the majority of the site falling within the Clay Cross Conservation Area. The site also forms part of the town centre as defined in the Local Plan.
- 2.2 Works approved by planning approval 23/00601/FL included the redevelopment and extension of the Clocktower Building and former DACIES Building, formation of new incubation units, new public open space, town square and pedestrianised a one-way section of Market Street.
- 2.3 Broadleys lies to the east of the application site, with Market Street running east to west through the town centre. Bridge Street extends north with the bus station on the right. This section of Bridge Street is currently closed off to traffic but to the north is a signalised junction with Harris Way.
- 2.4 To the west, the application site includes a formal public car park and open space which fronts onto Derby Road (A61). The open space has a footpath which runs through it which, in turn connects to a formal signalised pedestrian crossing.

### **Proposal**

- 2.5 This application seeks permission to discharge condition 45 (Works in Highway) pursuant to planning application 23/00601/FL.
- 2.6 The condition reads *“Notwithstanding any other submitted details, including those referred to in condition 2 above, the development hereby approved, shall not be started until details, including a timetable for the works to be undertaken, in respect of all works to or within the highway, including but not necessarily to be limited to any road closures, traffic management measures, alterations or changes to traffic alignment or direction, shall be submitted to and be approved in writing by the Local Planning Authority. Once agreed, the approved details shall be implemented as approved and be retained as such thereafter.”*
- 2.7 The reason for the condition was in the interest of the safe movement of traffic around Clay Cross.

### **Amendments**

2.8 None.

### **3.0 Relevant Planning History (not the full site history)**

3.1 23/00665/EIA | Environmental Impact Assessment (EIA) Screening Opinion for reconfiguration and erection of new extensions to both the Clay Cross Adult Community Education Centre and former DACES building including limited demolition within the Clay Cross Conservation Area. Erection of 16no new build commercial units. Extensive hard and soft landscape proposals around the buildings including enhancements and modifications to Market Street and Bridge Street (No EIA required)

3.2 23/00601/FL | Reconfiguration and erection of new extensions to both the Clay Cross Adult Community Education Centre and former DACES building including limited demolition within the Clay Cross Conservation Area. Erection of 16no new build commercial units. Extensive hard and soft landscape proposals around the buildings including enhancements and modifications to Market Street and Bridge Street (Major Development/Affecting Setting of a Listed Building/Conservation Area/Affecting Public Right of Way/NEDDC) (Amended Plans) (Conditionally Approved)

### **4.0 Consultation Responses**

4.1 **Highways Authority (HA)** reviewed the submitted technical note and it is understood it will ensure the minimal disruption to traffic flows around Clay Cross town centre whilst works are undertaken in line with the phased scheme of development. As such the HA no objection to the discharge of condition 45.

### **5.0 Representations**

5.1 No public comments have been received in relation to this application.

5.2 No comments have been received from the Parish Council or local ward members.

### **6.0 Relevant Policy and Strategic Context**

#### **North East Derbyshire Local Plan 2014-2034 (LP)**

6.1 The following policies of the LP are material to the determination of this application:

- SS1 Sustainable Development
- SS2 Spatial Strategy and the Distribution of Development
- WC4 Retail Hierarchy and Town Centre Uses
- SDC5 Development within Conservation Areas
- SDC6 Development Affecting Listed Buildings

SDC12 High Quality Design and Place Making  
ID2 Provision and Safeguarding of Transport Infrastructure  
ID3 Sustainable Travel  
ID8 Greenways and Public Rights of Way

### **National Planning Policy Framework (NPPF)**

- 6.3 The overarching aims of the National Planning Policy Framework (NPPF) have been considered in the assessment of this application.

### **Other Material Planning Considerations**

- 6.4 Successful Places Planning Guidance, adopted December 2013
- 6.5 Clay Cross Regeneration Framework 2025
- 6.6 Clay Cross Conservation Area Character Statement; 2010

## **7.0 Planning Issues**

### **Assessment**

- 7.1 Condition 45 (Works in Highway) reads *“Notwithstanding any other submitted details, including those referred to in condition 2 above, the development hereby approved, shall not be started until details, including a timetable for the works to be undertaken, in respect of all works to or within the highway, including but not necessarily to be limited to any road closures, traffic management measures, alterations or changes to traffic alignment or direction, shall be submitted to and be approved in writing by the Local Planning Authority. Once agreed, the approved details shall be implemented as approved and be retained as such thereafter.”*
- 7.2 A Technical Note, prepared by PJA, has been submitted in order to address the requirements of this condition. The following assessment considers the current arrangements for traffic, the alternative options considered, the proposed arrangements, the traffic impacts, bus routeing impacts and the programme of delivery.

### **Existing Arrangements**

- 7.3 The existing arrangement is that vehicles are able to travel west along Market Street and access the A61. Vehicles coming from the A61 can access the town centre and car parks from Eyre Street which connects onto Bridge Street.

### **Alternative Arrangements Considered**

- 7.4 To accommodate the displaced traffic from the pedestrianised section of Market Street several other alternative options were considered. These being:
1. Utilise a new junction on the A61 from the Market Street car park
  2. Reopen Eyre Street to two way traffic
  3. Reopen the previously closed link between Eldon Street and the A61
  4. Direct traffic through the reopened Bridge Street to access the A61 from Harris Way
- 7.5 Option 1 – it became apparent very early on in the process that this was not a viable route for vehicles to access the A61 due to it not having planning permission, there being insufficient land available to provide adequate width for vehicles and pedestrians, it would compromise aspirations of the project and DCC Highways Authority (HA) were not supportive of this approach.
- 7.6 Option 2 – this option was discounted due to Eyre Street not being wide enough to accommodate two way routing for buses, there being substandard visibility for vehicles entering the A61 from Eyre Street and HA did not support two way traffic along this route.
- 7.7 Option 3 – this option was discounted due to insufficient visibility for vehicles entering the A61 from Eldon Street, the acute angle of the junction between Bridge Street and Eldon Street means that the junction geometry is unsuitable for frequent use and the impact on the existing signalised pedestrian crossing to the south of Eldon Street due to it being closer than the min 20m requirement contained in the Guidance for the Design of Pedestrian Crossings. There is insufficient space to relocate the crossing and unsupported by HA.
- 7.8 Option 4 – this option is discussed below in the “proposed arrangements” section of the report.

### **Proposed Arrangements**

- 7.9 The proposal involves closing Market Street between the junction with Bridge Street and the A61. A new pedestrianised section will be created in its place. Deliveries will still be allowed onto Market Street and this will be controlled by removable bollards.
- 7.10 As considered above, reopening Bridge Street was seen as the best option for traffic when Market Street is to be closed to traffic. Vehicles wishing to access the A61 from Market Street will proceed along two alternative routes:
1. Northbound traffic will travel north along Bridge Street, join Harris Way westbound at the signalised junction before joining the A61.

2. Southbound traffic will be able to access the A61 in two ways. They could use the new northbound Bridge Street opening or travel along Broadleys which connects to Thanet Street and in turn to the main crossroad on the A61.
- 7.11 When looking to reopen Bridge Street it was important to consider the impacts on the bus station. Vehicle swept path drawings shaped the design process. Due to visibility issues buses will only be allowed to turn left from the bus station. With regards to bus movements two options were considered to ensure safe egress to reduce the risk of collision. These options include signalling the bus station exit onto Bridge Street or reverse the bus stop operation. The best option was to signalise this junction.
- 7.12 A Traffic Regulation Order (TRO) was submitted to allow vehicle movements again along this stretch of Bridge Street, however it came to light that the original TRO was never made so a further TRO is actually not required to reopen this route.
- 7.13 Due to weight restrictions, on street parking and the southbound route being a busy bus route it is proposed to provide signage directing traffic to use the northbound option above.

### **Traffic Impacts**

- 7.14 A Clay Cross Traffic Management Options Review Technical Note, prepared by AECOM, dated May 2022 was submitted with the original planning application and has been summarised by the technical note submitted with this discharge of condition application.
- 7.15 The following traffic impacts on three junctions were considered, these being:
- A61/Thanet Street
  - Harris Way/Bridge Street
  - A61/Eyre Street/Holmgate Road
- 7.16 Three options were considered for the redistribution of traffic from the closure of Market Street, with the impacts on three surrounding junctions assessed. The three alternatives included:
1. Bridge Street/Harris Way/Holmgate Loop
  2. Eyre Street & Eldon Street direction changes
  3. Eldon Street bus gate
- 7.17 Option 1 was the preferred option by HA. It is considered most likely that rerouted traffic will exit the town centre north along the reopened Bridge Street route. Traffic data shows that the junction performance with this option is a betterment to the current situation and would reduce delays. Whilst the proposal would increase the flow of traffic north along Bridge Street it would still be within capacity.

- 7.18 Option 2 would include the reopening of Bridge Street and Eldon Street, along with making Eyre Street open to two way traffic. Whilst operating within capacity, this option would result in safety concerns and delays.
- 7.19 Option 3 was discounted due to there being sub-standard visibility for buses entering the A61 from Eldon Street. Buses would also encroach into the northbound lane when making a left turn.

### **Bus Routeing**

- 7.20 Bus routeing has been considered throughout the process. Three bus services join the A61 and will be affected by the closure of Market Street. These being:
- Route 51 Danesmoor to Chesterfield
  - Route 55 Alfreton to Chesterfield
  - Route 63 Chesterfield to Matlock Green
- 7.21 Route 51 currently runs along Broadleys to the bus station, then onto Market Street and then across to Holmgate Road. The preferred rerouted option would be to relocate the bus stop to Market Street and then the bus would travel north along Bridge Street, along Harris Way and then onto the A61 before turning onto Holmgate Road.
- 7.22 Route 55 currently runs along Market Street to the bus station, along Market Street and then onto the A61. The alternative route will bring buses out of the bus station to travel east along Market Street and then along Broadleys towards the A61.
- 7.23 Route 63 currently runs along Market Street, through the bus station, then west onto Market Street and then onto the A61. A new bus stop will be provided on Market Street and then rerouted along Bridge Street to the A61.

### **Programme of Delivery**

- 7.24 A phasing scheme has been prepared to ensure minimal disruption to vehicle flows around Clay Cross during the delivery of the proposed works already approved by members. The following phasing is proposed as seen in Figure 2 below.

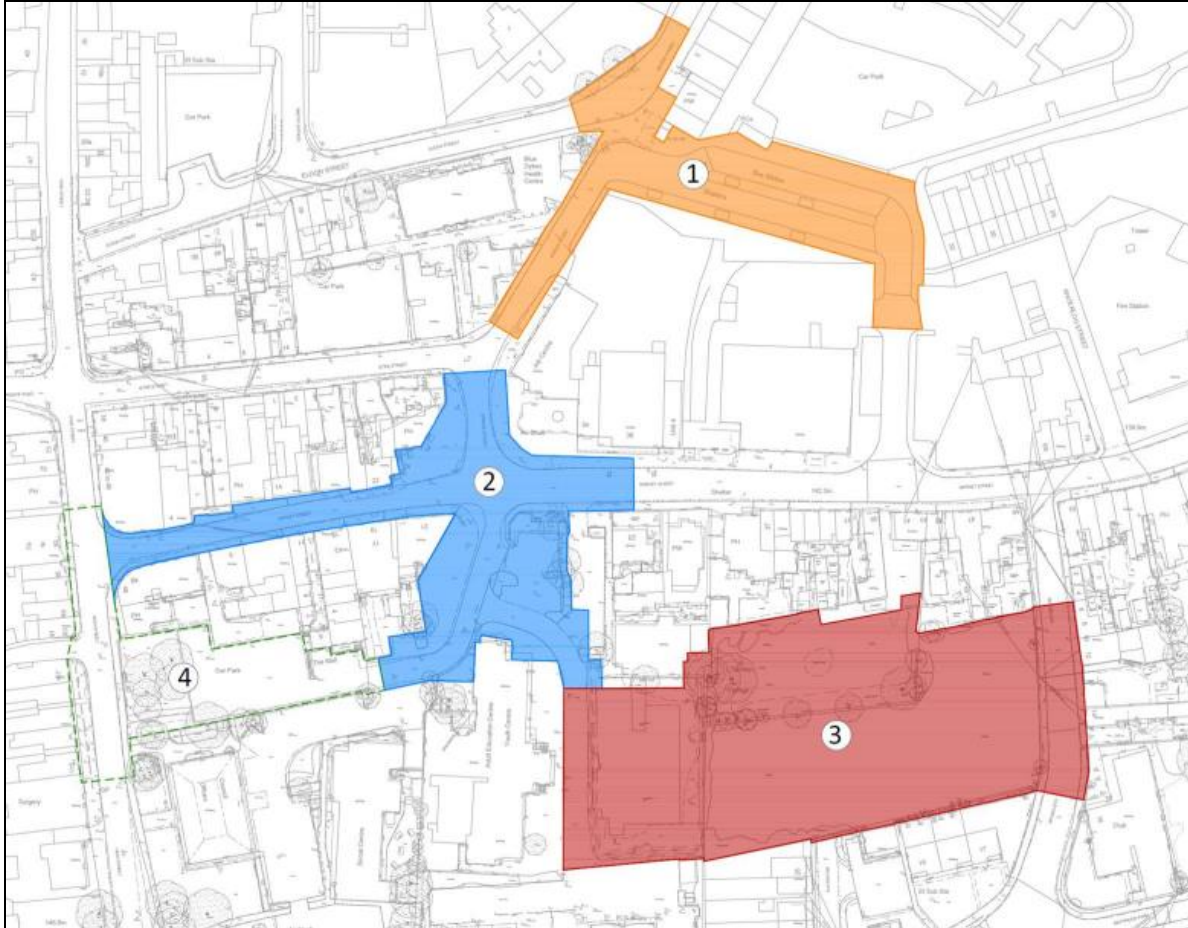


Figure 2: Phasing plan

- 7.25 Phase 1 will involve the signalisation of the bus station exit and reopening of Bridge Street. All works will be completed prior to works commencing on Market Street.
- 7.26 Phase 2 will involve the closure of Market Street and creation of pedestrianised section. Included in this phase will also be the works to the entrance of the market Street car park, connection to Smithybrook Lane and works to the new meeting square.
- 7.27 Phase 3 will be the works to Broadleys including new town square, incubation units and new pedestrianised crossing on Broadleys.

## 8.0 Summary and Conclusion

- 8.1 In concluding on this matter it is noted in particular that the HA has no objection to the submitted details. Officers, note the submission made and the justification set out for the proposed details.
- 8.2 In view of these factors, Officers have sound evidenced reason to object to the details submitted in association with and to discharge condition 45 (Works in Highway) and as such the details are recommended to be approved.



**9.0 Recommendation.**

- 9.1 That the details submitted in relation to condition 45 (Works in Highway) are **approved.**