

ITEM 2

**CONSTRUCTION OF A TWO STOREY FURTHER EDUCATION FACILITY,
INCLUDING THE DEMOLITION OF THE EXISTING NORTH BLOCK 1
BUILDING, NEW STEEL FIRE ESCAPE STAIR TO THE NORTH BLOCK 4
BUILDING AND LANDSCAPING AT CHESTERFIELD COLLEGE, INFIRMARY
ROAD FOR THE CHESTERFIELD COLLEGE GROUP**

Local Plan: Unallocated

Ward: Spire

Committee Date: 4th December 2023**CONSULTATIONS**

CBC Economic Development	Request local labour supply condition
Chesterfield Civic Society	Support, the building is well designed and will enhance the campus and the quality and quantity of its course provision. Also no objection to the fire escape to the Widdows building.
CBC Environmental Health	There needs to be phase 2 report on ground conditions, noise survey completed but no details on plant and equipment to be used, the advisory noise levels in the survey should be conditioned, working hours for construction to be restricted.
CBC Tree Officer	Comments made see report
Archaeology	No objection see report
CBC Climate Change Officer	Comments made see report
Yorkshire Water	Conditions recommended
Derbyshire Constabulary	No objections. New facility will be an improvement. The removal of the roadside hedge will help with wider site supervision. Infirmary Road access to the site is barrier controlled, but this is not shown on the plans, the removal of the barrier would be a backward step re: site security, I strongly recommend retention/replacement. There is mention of a private security consultant, who will be advising the college.
Highway Authority	Following a number of queries and amended documents the Highway Authority raise no objection and recommend conditions.

Coal Authority	No objection – comments made see report
CBC Design Services Drainage	Comments made see report
DWT	Comments made see report
LLFA	Conditions recommended
Derbyshire Fire and Rescue	No response received
Transition Chesterfield	No response received
CBC Forward Planning	No response received
CBC Urban Design Officer	No response received
DCC Policy team	No response received
Chesterfield Cycle Campaign	No response received
Community Safety Officer	No response received
Representations	Following a press notice, site notices and letters no comments from the public or Ward Members have been received.

2.0 **THE SITE**

2.1 The application site is the area of the existing North Block, its car park and associated amenity area which is partially laid to lawn with some hard surfacing. There is a substantial hedge to the site frontage and a row of trees are present to the centre of the site. The access into the site is via Infirmary Road with a further line of trees adjacent to this with surrounding housing to the north and college buildings to the east, south and west.

2.2





3.0 SITE HISTORY

- 3.1 CHE/17/00595/FUL The construction of an enclosed tarmac drill/marching square, on an existing grassed area adjacent the sports hall. Including the provision of a metal storage container, with appropriate hard standing and new access path. – Conditional Permission 13.10.2017
- 3.2 CHE/15/00015/NMA Non material amendment to CHE/14/00428/FUL - overclad the 1960's section of the south block at Chesterfield College to improve the thermal performance of the building and to improve the aesthetic – Unconditional permission 23.01.2015
- 3.3 CHE/14/00428/FUL Overclad the 1960's section of the south block at Chesterfield College to improve the thermal performance of the building and to improve the aesthetic. – Conditional Permission 06.08.2014
- 3.4 CHE/13/00661/FUL Application for external landscaping works to an existing external courtyard including; new high quality paving and resin bound gravel surfaces to be laid over an existing tar macadam surface;

introduction of stainless steel feature benches and planting; removal of 15 no. of existing car parking spaces from the front of the North Block 4 building; 30 no. of new car parking spaces to be provided on adjacent field; replacement of existing paving to roof terrace with new high quality paving; replacement of existing painted steel roof balustrade with stainless steel and glass balustrade; introduction of a cantilevered steel and polycarbonate canopy and rendered finish to the front elevation of the North Block 3 building. – Conditional Permission 06.12.2013

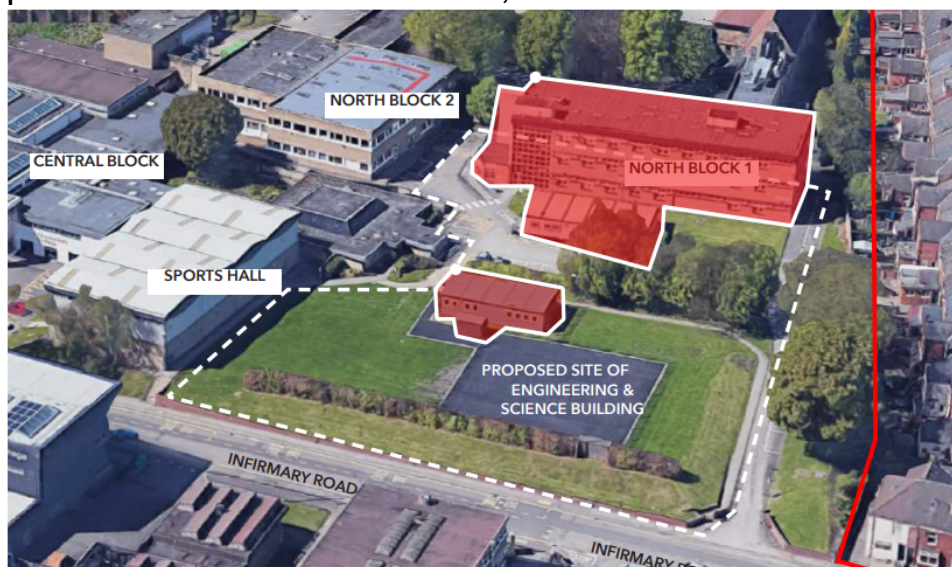
3.5 CHE/07/00763/OUT Outline application for further education college redevelopment – masterplan – Conditional Permission 18.06.2008

3.6 CHE/06/00525/FUL Erection of single storey building – Conditional permission 23.08.2006

4.0 **THE PROPOSAL**

4.1 The application sets out that the proposal is part of the College's ongoing Property Strategy to improve the quality of facilities available to its learners and to create a more coherent and attractive campus. The development is a new building to accommodate science, engineering, digital and advanced manufacturing provision supporting the development of training and skills for new technologies across the manufacturing industries, including the move to electric and hybrid technologies. This is a Government funded project and is therefore anticipated to move forward at pace.

4.2 The application includes the demolition of the north block and the two port-a-cabin structures on site, identified in red below:



4.3

It is then intended that a new Engineering and Life Sciences building will be erected to the site frontage on the area of existing lawn. This building will result in the removal of trees and hedgerow to this developable area of the site with the trees along the side of the access being retained.

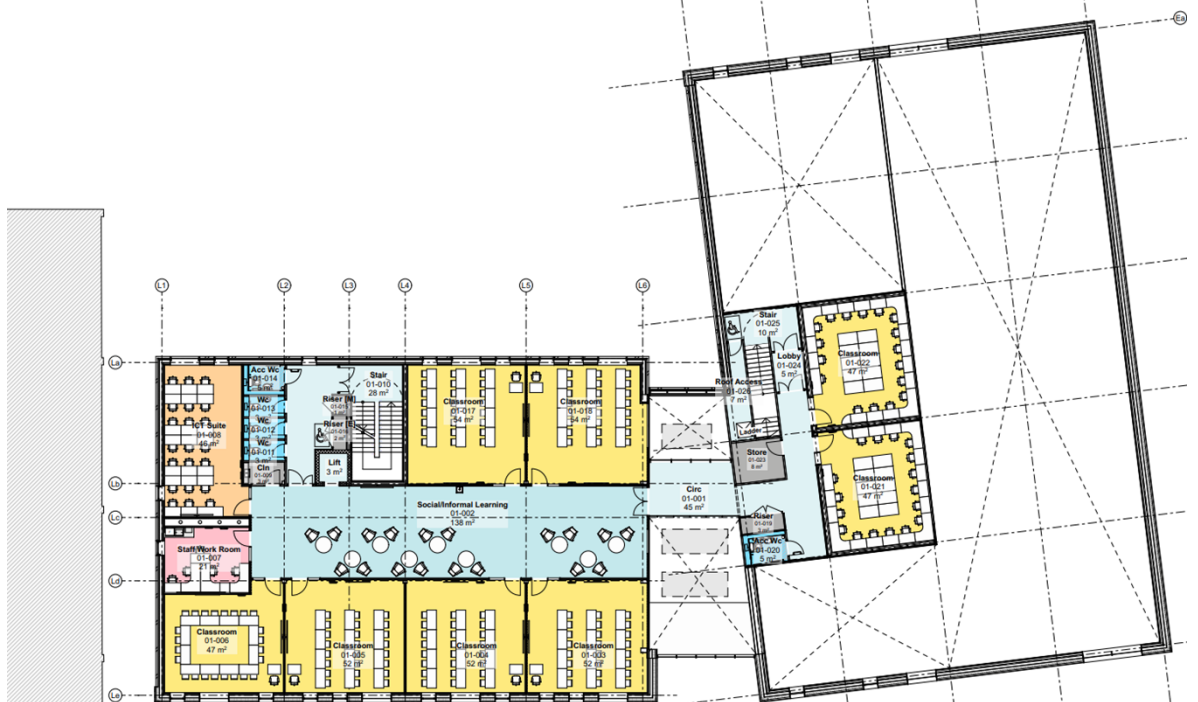


4.4

The proposed building has a floor plan in two halves; the ground floor plan shows that to the Infirmary Road frontage there will be 4 science labs, with plant, toilet areas, stairs, fitness suite and stores to the rear of this. The building then leads into an atrium linking into the second part of the building which will be advanced engineering workshop and work stations with a 3D print lab and EV tech area and Hydrogen Tech area, this area also includes staff room, toilets and storage. Much of this area of the building is a double height space.



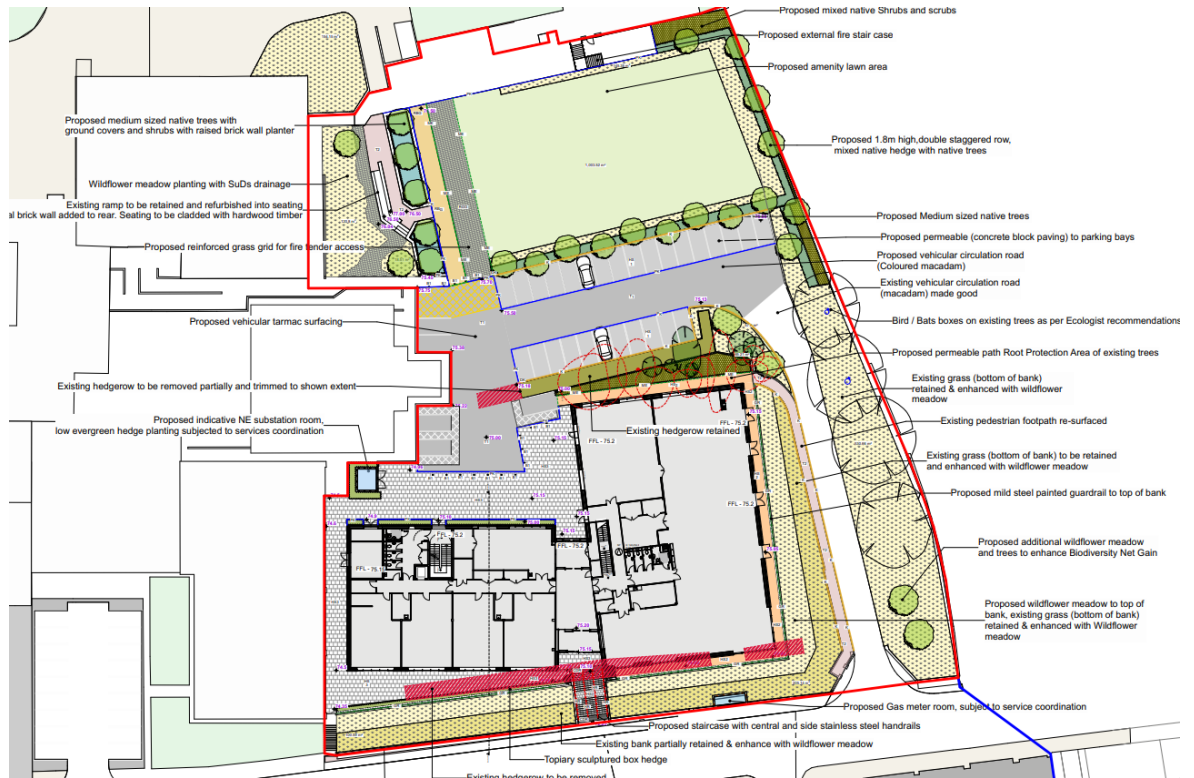
4.5 To the upper floor the two areas are separated into classrooms with social space and a link over the atrium area:



4.6 Solar will be integrated into the roof space. The final cladding material has not been determined. The development description includes new steel fire escape stair to the North Block 4 building (western end of the site), but details of this have not been provided.

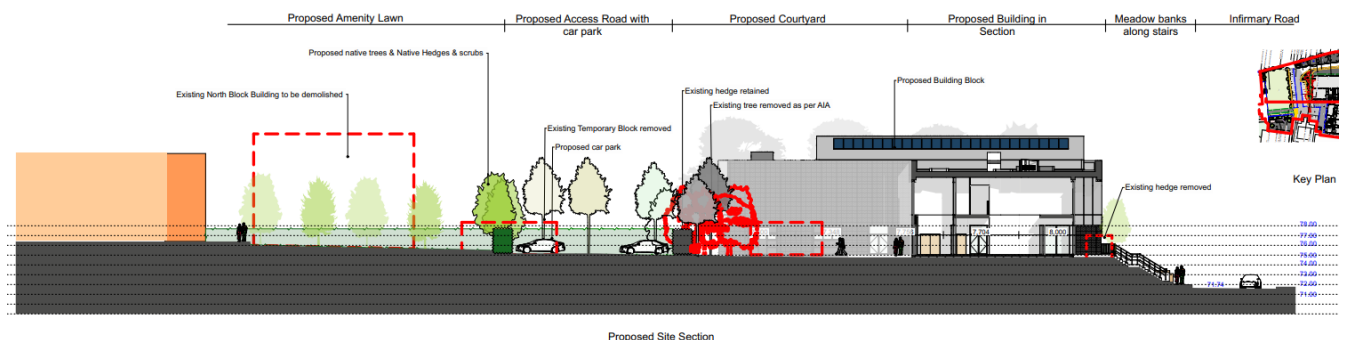
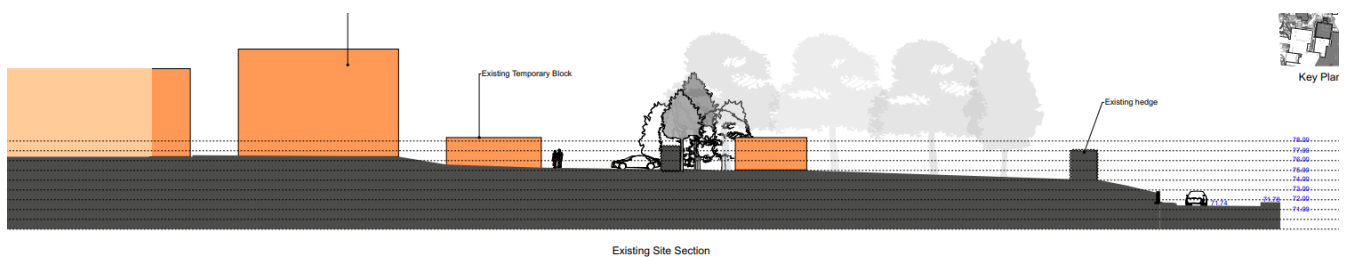
4.7 The site will then be re-landscaped to provide a biodiversity net gain on site, the hard landscaped areas will provide 33 car parking spaces. There will also be a substation to the south adjacent to the existing

building. A ramp to the rear of the site will be refurbished into a seating area adjacent to the planting. There will be an area of amenity grass land to the rear west of the site where the existing north block is located. These are shown on the landscaping plan below:



4.8

The scheme will include some minor level changes on the site, resulting in a more level site, thereby removing the need for ramped structures but with stepped access to Infirmary Road:



4.9 The application is accompanied by a number of supporting documents, the content of which has been considered in the report below:

- Noise Impact Assessment
- Arboricultural Report
- BREEAM Pre-Assessment Report
- Environmental Impact Assessment
- Phase 1 Desk Study
- Flood Risk Assessment and Drainage Strategy
- Travel Plan
- Preliminary Ecological Appraisal
- Design And Access Statement
- Bat Survey
- Biodiversity Net Gain Assessment
- Geo-Environmental Assessment Report

5.0 **CONSIDERATIONS**

5.1 **Planning Policy**

5.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 require that, 'applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise'. The relevant Development Plan for the area comprises of the Chesterfield Borough Local Plan 2018 – 2035.

5.2 **Chesterfield Borough Local Plan 2018 – 2035**

CLP1 Spatial Strategy (Strategic Policy)

CLP2 Principles for Location of Development (Strategic Policy)

CLP10 Social Infrastructure

CLP13 Managing the Water Cycle

CLP14 A Healthy Environment

CLP15 Green Infrastructure

CLP16 Biodiversity, Geodiversity and the Ecological Network

CLP20 Design

CLP21 Historic Environment

CLP22 Influencing the Demand for Travel

5.3 **Other Relevant Policy and Documents**

- National Planning Policy Framework (NPPF)

5.4 Key Issues

- Principle of development
- Design and appearance
- Impact on Heritage Assets
- Impact on residential amenity;
- Highways safety
- Biodiversity
- Ground conditions
- Drainage

5.5 Principle of Development

- 5.5.1 Policy CLP1 of the Local Plan sets out that; The overall approach to growth will be to concentrate new development within walking distance of a range of Key Services as set out in policy CLP2.
- 5.5.2 Policy CLP2 of the Local Plan sets out that; Planning applications for developments that are not allocated the Local Plan, will be supported according to the extent to which the proposals meet the following requirements which are set out in order of priority:
- a) deliver the council's Spatial Strategy (policy CLP1);
 - b) are on previously developed land that is not of high environmental value;
 - c) deliver wider regeneration and sustainability benefits to the area;
 - d) maximise opportunities through their location for walking access to a range of key services via safe, lit, convenient walking routes;
 - e) maximise opportunities through their location for cycling and the use of public transport to access a range of key services;
 - f) utilise existing capacity in social infrastructure (Policy CLP10) or are of sufficient scale to provide additional capacity, either on site or through contributions to off-site improvements
- 5.5.3 Policy CLP10 sets out that; Improvement of existing facilities, The quality, functionality and accessibility of existing social infrastructure facilities will be improved at sites including Chesterfield Royal Hospital, Walton Hospital and Chesterfield College, so as to allow for their future expansion. Masterplans will be required to accompany proposals to ensure the sustainable and co-ordinated development of the hospital and college sites.

5.5.4 This proposal to expand and enhance the existing facilities are considered to be fully in line with the above policy requirements. Therefore, the principle of the development accords with the Adopted Local Plan.

5.5.5 Climate:
Policy CLP20 requires that: Major development should, as far as is feasible and financially viable minimise CO2 emissions during construction and occupation, and also maximise both the use of and the generation of renewable energy.

5.5.6 The Council's Climate Officer has commented on the proposal:
"While the adoption of the BEEAM workflow is welcomed, I could not find reference to what level the applicant intends to achieve on site. Clarification on minimising emissions from site clearance and building work."

It is difficult to assess the mitigations proposed by the applicant at this stage without detailed specifications for building works proposed, but I recommend that the applicant be asked to provide evidence that they are taking steps to reduce the emissions resulting from use of the proposed development (CLP20n) in particular:

- A high standard of insulation / passive cooling
- Low carbon heating / heat recovery
- Minimising energy demand from buildings
- Installation of microgeneration technologies
- "Future proofing", by ensuring that scope for modified heat sources and charging infrastructure is included where these are not part of the initial proposed work.

What steps are they taking to reduce the vulnerability of future site users to the effects of climate change over the lifetime of the development.

Current estimates from the Met Office indicate an increase in floods, droughts, and heatwaves; therefore matters such as permeable surfaces, rainwater harvesting, passive cooling and high insulation should be considered.

Indirect impacts:

This development will result in negligible impact on resident's ability to mitigate or adapt to climate change. Refer issues surrounding biodiversity net gain, ecological impacts, and access to green space to the CBC planning team.

- 5.5.7 Whilst not set out in detail it is clear from the submission that one of the aims of the development is to improve the sustainability credentials of the whole site. Therefore, it is considered reasonable to impose a condition to seek to clarify these remaining matters through the submission of a sustainability or climate change statement which sets out the specific measures proposed, thereby ensuring compliance with policy CLP20 which seeks the submission of a statement as to how development will minimise emissions.
- 5.5.8 Policy CLP6 requires that; For all major development proposals, the council will seek to negotiate agreements with developers and occupiers covering recruitment, training and procurement to benefit the local economy and supply chain, so as to contribute to the sustainability of the borough and the surrounding area, both during construction and on a long-term basis.
This has been requested by CBC Economic Development and is to be imposed as a condition.

5.6 Design and Appearance

- 5.6.1 Local Plan policy CLP20 states in part; all development should identify and respond positively to the character of the site and surroundings and respect the local distinctiveness of its context respect the character, form and setting of the site and surrounding area by virtue of its function, appearance and architectural style, landscaping, scale, massing, detailing, height and materials.
- 5.6.2 The building is considered to be a high quality contemporary building which is considered to assimilate well within the site context where there is a mix of older and much more contemporary building stock. Whilst the visuals of the building have been provided which show clear intentions, there is limited detail provided on the finished facing materials which therefore need to be agreed via condition. The proposal also includes a metal stair to the rear (west) of the site for which details plans are required again to be secured via condition.
- 5.6.3 The site will be re-landscape following the development with new hard and soft landscaping and amendment to the ramp structure to create a seating area. This will soften the development over time and create a pleasant space for students and staff to use. Conditions are required in relation to the hard and soft landscaping and amendment of the ramp structure.

5.6.4 Subject to these conditions the proposal is considered to accord with Policy CLP20.

5.7 Impact on heritage assets

5.7.1 Policy CLP21 of the Adopted Local Plan states that; In assessing the impact of a proposed development on the significance of a designated heritage asset, the council will give great weight to the conservation of designated heritage assets and their setting and seek to enhance them wherever possible.

In regard to archaeological matters the policy goes on to note that; In order to ensure that new development conserves or enhances the significance of designated and non-designated heritage assets and their settings, the council will:

d) identify and, where appropriate, protect important archaeological site and historic environment features;

g) within the Town Centre Core and other areas of archaeological significance, require relevant development proposals to demonstrate appropriate consideration of archaeological impact.

This policy is in line with the requirements of Part 16 of the NPPF.

5.7.2 The setting of a listed building can be a wide-ranging area not just the curtilage of the building itself. The listed building here is the main college building which is set some distance to the west of the application site. Given the intervening built form of the college site it is considered that the proposed development will have no perceivable impact on the setting of this heritage asset.

5.7.3 The County Archaeologist has commented that; The proposed development area lies 95m to the east of the approximate location of the former St Helens Chapel School recorded on the Derbyshire HER (MDR5344) and c. 90, to the east of its successor, Chesterfield Grammar School built in 1846 (MDR5389). A brief study of the geotechnical logs and ground investigations demonstrates that the site has been extensively levelled up by as much as 4m utilising ash, clinker, some industrial waste and refuse and the second edition of the ordnance survey shows that the ground had been terraced at that time, possibly at the same time as the clay pits to the northeast were infilled prior to the construction of the former Great Central Station and the Chesterfield loop railway line. While it is possible that there may be archaeological deposits at the base of this sequence, I note the presence of sandy clay with some brick between 2.4m and 2.8m below

ground level in SA1, I note too that this is outside the direct footprint of construction. On balance therefore, and given the nature of land use of the site, it is unlikely that any below ground archaeology. If such remains, will be affected by the proposed development and I therefore have no objection.

5.7.4 On the basis of the above there is no need for conditions relating to heritage matters, the development accords with CLP21.

5.8 Impact on Residential Amenity

5.8.1 Local Plan policy CLP14 states that development will be expected to have an acceptable impact on the amenity of users and neighbours.

5.8.2 The proposed building is of a similar height to the existing but positioned further towards the Infirmary Road frontage. The space between the building and the adjacent houses will include the access road, which is already in place and the line of substantial trees which site alongside this. This space between the proposed building and existing dwellings will ensure that the building itself does not adversely impact on residential amenity to an unacceptable degree. The level of activity on site may increase as a result of the proposed new building but this is not considered to have unacceptable impacts on amenity over and above the wider use of the site. In this regard the proposal is considered to meet policy CLP14 requirements in terms of the impacts upon residential amenity. It is noted that no responses from residents have been received following notification of the application.

5.8.3 In terms of site security Derbyshire Constabulary have noted that: The existing barrier to the access is not shown on plan and if removed would be a backward step in respect of site security, the Constabulary strongly recommend its retention or replacement. This matter is to be covered by condition.

5.8.4 A noise survey has been undertaken which concludes that: "Environmental noise surveys have been completed to quantify the prevailing noise environment dominated by road noise from the A61 and Infirmary Road. This noise survey will be used to develop a 3D computer model of noise propagation across of the site including all significant noise sources and with a full topography, and to inform a scheme of mitigation measures required to ensure a commensurate level of protection against noise for occupants of neighbouring properties. At this stage in the project an assessment cannot be carried out of the

plant units proposed for the site as their selection has not been finalised. Instead, noise limits have been set for the site. These limits apply to all plant units operating simultaneously. Provided that the noise is controlled to less than or equal of 55db during the day and less than or equal to 37db at night, the requirements of BS4142(3) can be met.”

- 5.8.5 The CBC Environmental Health Officer has noted this report and suggested a condition is imposed to ensure plant and machinery is within the limits set out in the report. By conditioning compliance with the report it is considered that the noise impacts arising from the development are appropriately addressed.
- 5.8.6 It is noted that no responses from neighbouring residents have been received and therefore subject to conditions the proposal is considered to meet the requirements of CLP14 in terms of amenity impacts.

5.9 Highways Safety and Parking Provision

- 5.9.1 Local Plan policy CLP20 and CLP22 require consideration of parking provision and highway safety.
- 5.9.2 The existing parking on site at 39 spaces, is controlled via a barrier for the use of staff only. Parking at present includes spaces along the access route into the application site, narrowing that access. It should be noted that on-street parking in the area is controlled by DCC under a resident only parking scheme.
- 5.9.3 The proposed development will remove spaces along the access route and result in the provision of 33 parking spaces including spaces for the disabled, this is a reduction from the 39 currently on site. This is based on the submitted plan details rather than the application form details where it is stated that existing spaces to be 28 and proposed to be 28.
- 5.9.4 The removal of parking spaces from along the access road is welcomed as this will enable the full width of that route to be used by vehicles. It is assumed that the barrier for staff only parking will be retained or replaced to control on-site parking and security as referred to in the comments of the Derbyshire Constabulary.
- 5.9.5 The presence of the on-street parking restriction in the area is assumed to be part of the reason for no public comments being received in regard to the application. It appears that parking here is no longer such a concern to residents as it has been in the past. The lack of parking on

site will also encourage site users towards more sustainable travel options. In this regard it is acknowledged that the site is in a sustainable location with good public transport routes available for both students and staff. Therefore, a reduction in parking spaces overall is not considered to result in harm to highway safety. Whilst there is some cycle parking on site, this appears to be limited and therefore should be increased as part of this application. This is secured via condition.

- 5.9.3 An updated Travel Plan has been agreed with the Highway Authority, therefore a condition securing compliance with this condition along with further conditions relating to construction storage and parking provision within the site and parking to be as shown on the submitted layout prior to occupation are requested. On this basis the highway authority has raised no objection. On this basis the proposal meets the requirements of policies CLP20 and 22.

5.10 Biodiversity, impact on protected species, enhancement and Trees

- 5.10.1 Local Plan policy CLP16 states that all development will “protect, enhance, and contribute to the management of the boroughs ecological network of habitats, protected and priority species ... and avoid or minimise adverse impacts on biodiversity and geodiversity and provide a net measurable gain in biodiversity.” The NPPF in paragraph 170 requires decisions to protect and enhance sites of biodiversity and paragraph 174 also requires plans to “pursue opportunities for securing measurable net gains for biodiversity”.

- 5.10.2 The proposal will result in the loss of the trees within the central area of the site and 2 trees to the south of the North Boock. The Council’s tree officer has noted:

An Arboricultural Survey, Impact Assessment (AIA) and Arboricultural Method Statement (AMS) has been submitted with the application by ECUS dated July 2023.

The survey recorded 33 individual trees and 2 hedgerows of predominantly mixed native deciduous species in overall fair to good condition. No trees within the Site boundary are protected by a Tree Preservation Order (TPO) and the site is not located within a Conservation Area.

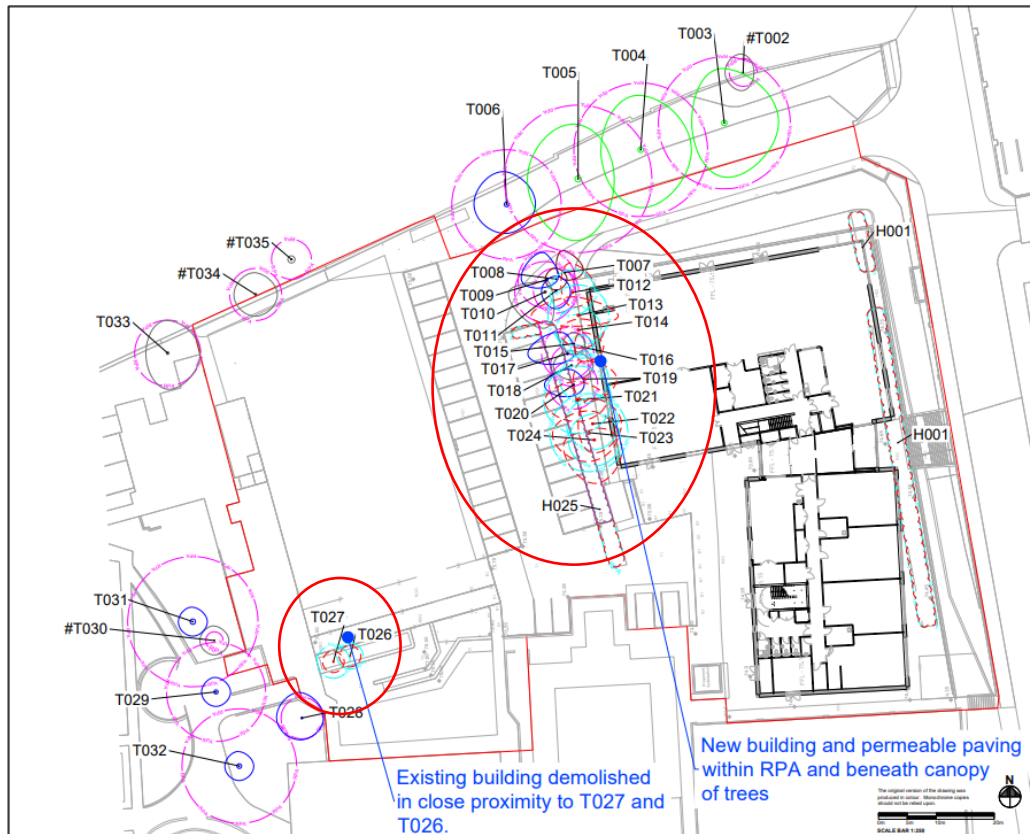
The AIA states that the development will require the removal of 11 trees, 1 hedgerow as well as 2 further sections of hedgerow and may also have an impact on the roots, stems and canopies of retained trees unless suitable protection measures are put in place. The AIA concluded that the development proposals indicate that 11 trees (T012 Maple,

T013 Ash, T014 Maple, T016 Rowan, T019 Maple, T021 Birch, T022 Maple, T023 Birch, T024 Oak, T026 and T027 Cordyline), 1 hedgerow (H001 Beech) and the northern and southern section of 1 further hedgerow (H025) within the Site boundary will need to be removed to facilitate the new development. These are either situated in the footprint of new structures or their retention and protection throughout the development is not suitable and are detailed in the Tree Survey Schedule.

Trees (T012 Maple, T013 Ash, T014 Maple, T016 Rowan, T019 Maple, T021 Birch, T022 Maple, T023 Birch, T024 Oak which are a mixed selection of native trees were planted in the late 1990's and although they do provide some visual amenity, are proposed for removal to facilitate the development. Construction of new hard surfaces comprising of permeable paving are proposed within the Root Protection Area (RPA) of the retained trees.

The retained trees will need protecting from development operations to ensure that they are not negatively impacted during the development, as detailed in the Arboricultural Method Statement (AMS).

The development proposals have allowed space for the planting of replacement trees throughout the site once the development is completed. The design offers an outdoor activity area and seating with a large open lawned area. The car parking has been retained along the access road with a few additional car parking spaces provided. Native hedge and mixed scrub area are proposed on the north-west boundary with tree planting to screen the car park from the lawn. A wildflower meadow mix is proposed along the banking to the frontage along Infirmary Road and the service and maintenance path abutting the new building to the north-west is proposed as permeable recycled rubber paving to protect the root protection areas of the retained trees. It is recommended at Section 4.7.5 of the Arboricultural Report that 'Where the removal of trees is required to facilitate the development, the planting of suitable replacement trees will be required as part of a wider landscaping scheme. It is recommended that tree planting follows a 5 – 10 – 20 - 30 formula (i.e. No more than 5% of any one cultivar, no more than 10% of any one species, no more than 20% of any one genus, and no more than 30% of any one family.) This gives any new tree population maximum resilience against pests and diseases. The general landscaping arrangement for the development are shown on drawing 10010 REV P03 and a detailed planting scheme is provided on drawing 1012 REV P02 which provides the species of plants/trees, location, size and quantity. Further details are also provided in the Landscaping Strategy. No objections subject to conditions.



5.10.3 The above plan shows the trees to be removed which are those to the centre of the site and the two trees close to the building to be demolished. The hedgerow to the site frontage will also be removed. Given the replacement planting proposed this is considered to be acceptable in order to facilitate the scheme.

5.10.4 A biodiversity net gain assessment – feasibility report has been submitted which concludes:
 Based on the current landscaping proposals, the construction of the proposed development is predicted to result in a gain of 0.19 Habitat Units (HU) which is a net percentage change of +6.10% and a gain of 0.11 Hedgerow Units (HeU) which is a net percentage change of +15.41%. In addition, the trading rules of the metric have been satisfied with respect to both HU and HeU.
 This is considered to be an acceptable net gain which is to recommended to be secured via conditions.

5.10.5 Derbyshire Wildlife Trust has commented on the scheme:
 In relation to the above application we have reviewed the information provided including Preliminary Ecological Appraisal Report (ECUS, July 2023) and the Derbyshire Biological Records Database. The proposals for a development on the site have the potential to impact an area of grassland, hedgerows and trees.

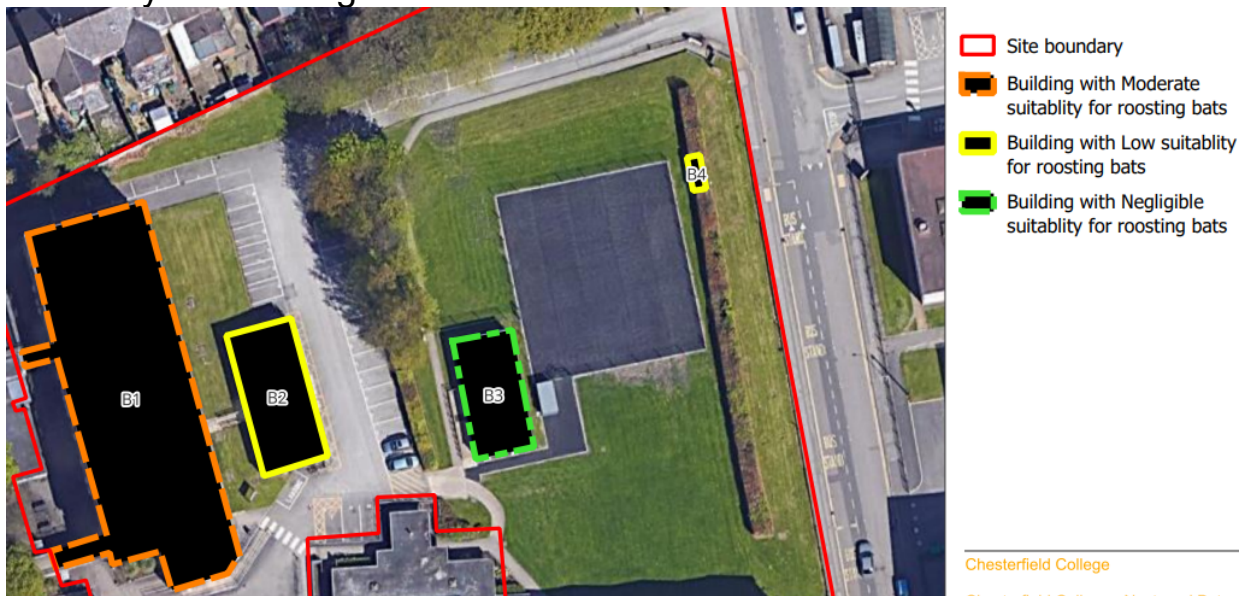
The habitats on site may support bats, breeding birds and foraging mammals such as hedgehogs.

Bats:

In line with recommendations in the PEA report and current guidance nocturnal bat surveys should be completed on the buildings which have been assessed as having potential to support roosting bats. These surveys should be completed prior to the determination of this planning application and may have already been undertaken having been scheduled for July/August 2023.

If bats are found to be roosting within the structure during the nocturnal surveys then further surveys may be required to classify the status of the roost. A Natural England Bat Mitigation Class Licence may be required in order to carry out any works that involve disturbance to bats or destruction of their resting place. We will be able to provide further advice and recommend conditions in relation to bats once we have reviewed a copy of the nocturnal survey results. Conditions recommended.

5.10.6 Following these comments a bat survey was undertaken. The result of the survey found that none of the buildings to be demolished had roosting bats and only one of the smaller building had negligible suitability for roosting bats.



5.10.7 A bat survey has then been submitted which found no evidence of bat roosts, taking on board the earlier comments of DWT as no bat roosts have been identified it is not considered that a Natural England licence is required. It is noted in the survey that the results are suitable for a 12 month period and that a precautionary approach should be undertaken when demolishing the building ceasing work should any evidence of

bats be found. This is considered to be a reasonable approach and if the demolition should take place 12 months after the date of the survey (June 2023) then further survey work will be required. These matters can be suitably conditioned. The report also suggests bat roosts are incorporated into the new building, again this can be conditioned.

DWT have responded to the report noting: I've now read the bat report and can confirm that the surveys were carried out in line with guidance and no evidence of roosting bats was noted from any of the buildings as you mentioned. Therefore, standard conditions with regards to lighting strategy and biodiversity enhancement including bat roosting features will be sufficient as per our letter ref: DWTCHE553 and dated 27/09/2023.

- 5.10.8 On the basis of the above and subject to conditions the scheme is considered to be acceptable in terms of biodiversity, ecology and trees in line with policy CLP16.

5.11 Ground conditions

- 5.11.1 Policy CLP14 requires that; Proposals for development on land that is, or is suspected of being, contaminated or unstable will only be permitted if mitigation and/or remediation are feasible to make the land fit for the proposed use.

- 5.11.2 The Coal Authority has commented on the submitted ground investigation report:

I have reviewed the proposals and confirm that the application site falls within the defined Development High Risk Area; therefore within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application. Our records indicate that part of the site is in an area of probable coal workings at shallow depth. If shallow workings are present then these may pose a potential risk to surface stability and public safety. The planning application is supported by a Phase 1 Desk Study, dated March 2023 and prepared by Waterman Infrastructure & Environment Ltd. This report states that the current site was previously investigated in 2007 with a very thin intact coal seam noted in the findings.

The report authors note that there is no evidence of old workings and the shallow seam is of uneconomic thickness, has very little rock cover and appears to be locally washed out. They also comment that the deeper seam is at sufficient depth and has enough rock cover so as not to represent a risk to surface developments if any unrecorded workings

are present. Based on this the report authors conclude that no further works in respect of historical coal mining are required. On the basis of the information submitted, and the professional opinions of the report authors set out therein, the Planning team at the Coal Authority has no objection to this planning application. Please note that any comments that the Coal Authority may have made in a Planning context are without prejudice to the outcomes of any Permit application.

- 5.11.3 In terms of ground contamination the submitted report concludes:
The following actions are recommended to address the potentially unacceptable risks that remain:
Submission of this report to the Local Authority Contaminated Land Officer.
Consideration of the existing slope on the eastern boundary of the site when finished floor levels, foundation design and loadings are available.
Development of a Remediation Strategy to set out the methodology for implementation of the remediation options set out in Section 12.
The design installation and verification of the selected gas protection measures should be undertaken in accordance with BS8485:2015 and CIRIA report C735. An installation and verification report should be provided which as a minimum should include an accurate description of the measures actually installed and present the evidence gathered to confirm that installed measures are suitable for purpose.
The groundworks contractor must be made aware of the potential presence of asbestos fibres and ACM in Made Ground across the site. The contractor should have robust processes in place to identify any potential asbestos in soils during groundworks, and to investigate and remove suspected asbestos encountered during excavations. This should be in line with the requirements of the Control of Asbestos (CAR) Regulations.
- 5.11.4 The Council's Environmental Health Officer has noted the submitted reports in regard to contaminated land and agrees with the proposed scheme of works and will await the validation report to be submitted.
- 5.11.4 On the basis of these comments and those of the Coal Authority, it is considered that a condition relating to ground contamination will appropriately address any ground condition matters in line with policy CLP14.

5.12 Drainage

- 5.12.1 Policy CLP13 requires that; The council will require flood risk to be managed for all development commensurate with the scale and impact of the proposed development so that developments are made safe for their lifetime without increasing flood risk elsewhere.
- 5.12.2 A detailed flood risk assessment and drainage strategy accompanying the application concludes:
Chesterfield College is a brownfield Site. Its boundary extends to an area of approximately 0.729ha. The Site lies within Flood Zone 1. The risk of flooding from surface water, sewers, groundwater and artificial sources is low. The sequential test has been passed and the site does not require to undergo the exception test. The overall effective impermeable area for the site is 0.531ha. Yorkshire Water Services are the statutory undertaker and is responsible for the public sewer systems for the site area. The Site drainage has been designed based on 50% betterment for the 1 in 1 year 60-minute storm return period, which equates to 11.6l/s. The site is located within the Don and Rother Management Catchment peak rainfall climate change allowances. Based on the hierarchy above, it is considered that the proposed surface water discharge into the public combined public water sewer is the most appropriate option for the site. It is recommended that site managers and employees register with the Environment Agency Flood Alert and Flood Warnings services. Future maintenance for any private drainage systems would be under the responsibility of the Site owner or an appointment management company.
- 5.12.3 The site is not within a flood risk area. The LLFA have commented on the scheme noting no objection but recommending standard conditions. Yorkshire Water have commented recommending a condition and noting:
1.) The submitted 'Flood Risk Assessment and Drainage Strategy' WIE19853-100- R-1-1-3_FRA prepared by Waterman, dated 24/04/2023 is acceptable. In summary, the report states that
a.) Foul water will discharge to public f combined water sewer
b.) Sub-soil conditions do not support the use of soakaways
c.) A watercourse is remote from the site
d.) Surface water will discharge to public combined sewer via storage with restricted discharge of 11.6 litres/second.
- 5.12.4 The Council's Design Service Drainage team have noted:
The Environment Agency plans show that the development is not within Flood Zone 2 or Flood Zone 3 but does show a possibility of some surface water on the South side of the development. We concur with the

comments from Yorkshire Water about the proposed methods of foul and surface water disposal and the limitations placed on the discharge rates for the surface water. There is an increase in the impermeable areas of the development and we would require a copy of the calculations used to substantiate the pipe and attenuation tank sizing.

5.12.4 Subject to the conditions recommended it is considered that drainage and flooding matters have been appropriately considered in line with policy CLP13.

5.13 Development Contributions and CIL Liability.

5.13.1 The proposed development is not liable for the Community Infrastructure Levy (CIL). There are no contributions required as part of this proposed development.

6.0 REPRESENTATIONS

6.1 No representations received in response to the site and press notices and neighbour notification letters.

7.0 HUMAN RIGHTS ACT 1998

7.1 Under the Human Rights Act 1998, which came into force on 2nd October 2000, an authority must be in a position to show:

- Its action is in accordance with clearly established law
- The objective is sufficiently important to justify the action taken
- The decisions taken are objective and not irrational or arbitrary
- The methods used are no more than are necessary to accomplish the legitimate objective
- The interference impairs as little as possible the right or freedom

7.2 It is considered that the recommendation is objective and in accordance with clearly established law.

7.3 The recommended conditions are considered to be no more than necessary to control details of the development in the interests of amenity and public safety and which interfere as little as possible with the rights of the applicant.

8.0 STATEMENT OF POSITIVE AND PROACTIVE WORKING WITH APPLICANT

- 8.1 The following is a statement on how the Local Planning Authority (LPA) has adhered to the requirements of the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015 in respect of decision making in line with paragraph 38 of 2023 National Planning Policy Framework (NPPF).
- 8.2 Given that the proposed development does not conflict with the NPPF or with 'up-to-date' Development Plan policies, it is considered to be 'sustainable development' and there is a presumption on the LPA to seek to approve the application. The LPA has used conditions to deal with outstanding issues with the development and has been sufficiently proactive and positive in proportion to the nature and scale of the development applied for.
- 8.3 The applicant /agent and any objectors/supporter will be notified of the Committee date and invited to speak, and this report informing them of the application considerations and recommendation is available on the website.

9.0 CONCLUSION

- 9.1 Subject to conditions the proposed development is considered to accord with the above-mentioned policies of the local plan. This is a high quality scheme which will enhance the site and provision of education at the college.

10.0 RECOMMENDATION

- 10.1 It is recommended that the application be **GRANTED** subject to the following conditions:

Conditions

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: The condition is imposed in accordance with section 51 of the Planning and Compulsory Purchase Act 2004

2. The development hereby approved shall only be carried out in full accordance with the approved plans (listed below) with the exception of any approved non material amendment or conditional requirement

below. All external dimensions and elevational treatments shall be as shown on the approved plan/s (listed below).

Site location plan 1001 REV P03 received 02.08.23

Existing site plan 1003 REV P08 received 28.07.23

Proposed GA building sections 4501 REV P07 received 02.08.23

Proposed GA building sections 4501 REV P07 received 02.08.23

Proposed GA building sections 4501 REV P06 received 28.07.23

Proposed GA elevations 3201 REV P08 received 28.07.23

Sectional elevation 3201 REV P02 received 28.07.23

Landscape softworks layout 1012 REV P02 received 28.07.23

Proposed GA landscape layout 1010 REV P03 received 28.07.23

Demolition site plan 10005 REV P03 received 28.07.23

Proposed roof plan 2201 REV P14 received 28.07.23

Substation enclosure plans and elevations NC1V-004 REV 1.0 received 28.07.23

Proposed first floor GA floor plan 2201 REV P14 received 24.07.23

Proposed ground floor GA floor plan 2201 REV P14 received 24.07.23

Swept path analysis 0001 REV A01 received 24.07.23

General arrangement pavement and kerb details 9502 REV P01 received 24.07.23

General arrangement site levels 9501 REV P01 received 24.07.23

Drainage general arrangement 9201 REV P01 received 24.07.23

Revised Proposed landscape layout plan CCEL-BBA-A2-XX-DR-L-1010 Rev P04 received 19.09.23

Reason: In order to clarify the extent of the planning permission.

3. Prior to installation details of the proposed metal stair shall be submitted to and agreed in writing by the Local Planning Authority. Works shall be completed in accordance with the agreed details.

Reason: To ensure an appropriate finished form of development in accordance with policy CLP20 of the Adopted Local Plan.

4. Prior to installation details of all external facing materials, including samples where necessary, shall be submitted to and agreed in writing by the Local Planning Authority. Works shall be completed in accordance with the agreed details.

Reason: To ensure an appropriate finished form of development in accordance with policy CLP20 of the Adopted Local Plan.

5. Prior to the commencement of development a sustainability statement on how emissions will be reduced through the construction process, along with details of the energy efficiency and renewable energy use of the proposed building, shall be submitted to and agreed in writing by the Local Planning Authority. Works shall be completed in accordance with the agreed statement.

Reason: To seek to make the development suitable for renewable technologies and to seek to reduce emissions from development in accordance with Policy CLP20 of the Adopted Local Plan.

6. The development shall operate in accordance with the detail of the submitted noise impact assessment 100956-R01v02.

Reason: In order to protect the amenity of neighbouring residents in line with policy CLP14 of the Adopted Local Plan.

7. For the construction period, there shall be no construction or demolition works, movement of construction traffic, or deliveries to and from the premises, shall occur other than between 0800 and 1800 hours weekdays, and 0800 and 1300 hours on Saturdays, and at no time on Sundays or Public Holidays.

Reason: To safeguard the privacy and amenities of the occupiers of adjoining properties in accordance with policy CLP14 of the Adopted Local Plan.

8. Prior to development commencing, an Employment and Training Scheme shall be submitted to the Local Planning Authority for consideration and written approval. The Scheme shall include a strategy to promote local supply chain, employment and training opportunities throughout the construction of the development.

Reason: This is a pre commencement condition in order to support the regeneration and prosperity of the Borough, in accordance with the provisions of Policy CLP6 of the Adopted Local Plan.

9. Prior to works commencing on the existing ramp to be amended detailed plans of the proposed works shall be submitted to and agreed in writing by the Local Planning Authority. Works shall be completed in accordance with the agreed details.

Reason: to ensure an appropriate finished form of development in accordance with Policy CLP20 of the Adopted Local Plan.

10. No development shall take place until space is provided within the site curtilage, for site accommodation, storage of plant and materials, parking and manoeuvring of site operative's and visitor's vehicles together with the loading/unloading and manoeuvring of goods vehicles. The space shall be constructed and laid out to enable vehicles to enter and leave the site in a forward gear, in surface materials suitable for use in inclement weather and maintained free from impediment throughout the duration of construction works.

Reason: To ensure safe and suitable access for all users, in the interests of maintaining highway efficiency and safety, recognising that even initial preparatory works could bring about unacceptable highway safety impacts in line with policies CLP20 and 22 of the Adopted Local Plan.

11. The Development hereby approved shall not be brought into use until the access, parking and turning facilities have been provided as shown on drawing CCEL-BBA-A2-XX-DR-L-1010_Proposed GA Landscape Layout.

Reason: To ensure conformity with submitted details in line with policies CLP20 and 22 of the Adopted Local Plan.

12. The amended Employment Travel Plan hereby approved shall be implemented and monitored in accordance with the regime contained within the Plan. In the event of failing to meet the targets within the Plan a revised Plan shall be submitted to and approved in writing by the Local Planning Authority to address any shortfalls, and where necessary make provision for and promote improved sustainable forms of travel to and from the site. The submitted details shall use Modeshift STARS Business to carry out this process and include mechanisms for monitoring and review over the life of the development and timescales for implementation. The approved Travel Plan shall be implemented, monitored and reviewed in accordance with the approved details

Reason: To reduce vehicle movements and promote sustainable travel in line with policies CLP20 and 22 of the Adopted Local Plan.

13. The tree protection measures as detailed in the Arboricultural Survey, Impact Assessment (AIA) and Arboricultural Method Statement (AMS) at Appendix 3, Figure 5 by ECUS dated July 2023 in accordance with BS5837:2012 Trees in relation to design, demolition and construction – Recommendations, shall be implemented in full before any demolition and land clearance, and remain in situ until the development is completed unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to ensure appropriate tree protection in accordance with policies CLP16 and 20 of the Adopted Local Plan.

14. The tree protection measures once installed shall be inspected by the project's Arboriculturalist. It should be confirmed by the project arboriculturist to the Local Planning Authority that the fencing has been correctly set out on site, prior to the commencement of any development operations.

Reason: In order to ensure appropriate tree protection in accordance with policies CLP16 and 20 of the Adopted Local Plan.

15. Any works that are proposed beneath the canopy or within the Root Protection Area of retained trees must be carried out as specified in the Arboricultural Method Statement. These works shall be supervised by the project arboriculturist so that any tree related issues that occur can be suitably dealt with.

Reason: In order to ensure appropriate tree protection in accordance with policies CLP16 and 20 of the Adopted Local Plan.

16. The approved tree pruning works to T018 Ash and T028 Rowan as described at Table 3: Tree Survey Schedule of the Arboricultural Impact Assessment shall be carried out to BS3998 Tree Works 2010 standard.

Reason: In order to ensure appropriate tree works in accordance with policies CLP16 and 20 of the Adopted Local Plan.

17. The development shall be carried out in accordance with the details shown on the submitted plan, "Flood Risk Assessment and Drainage Strategy' WIE19853-100-R-1-1- 3_FRA prepared by Waterman, dated 24/04/2023", unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interest of satisfactory and sustainable drainage in accordance with policy CLP13 of the Adopted Local Plan.

18. Prior to first occupation details of a security barrier to the access shall be submitted to and agreed in writing by the Local Planning Authority, the barrier shall be installed in accordance with the agreed details.

Reason: To ensure appropriate site security in accordance with policy CLP14 of the Adopted Local Plan.

19. Prior to the installation of lighting fixtures, a detailed lighting strategy shall be submitted to and approved in writing by the Local Planning Authority to safeguard bats and other nocturnal wildlife. This should provide details of the chosen luminaires, their locations and any mitigating features such as dimmers, PIR sensors and timers. Dependent on the scale of proposed lighting, a lux contour plan may be required to demonstrate acceptable levels of light spill to any sensitive ecological zones/features. Guidelines can be found in Guidance Note 08/23 - Bats and Artificial Lighting at Night (BCT and ILP, 2023). Such approved measures will be implemented in full. Any lighting scheme on site should avoid the introduction of light to the site boundaries including retained boundary trees, hedgerows and other adjacent offsite habitats. No light should be introduced within the vicinity of proposed bat and bird boxes which will be provided as biodiversity enhancement including the flight paths to these features.

Reason: In the interest of protecting wildlife in accordance with Policy CLP16 of the Adopted Local Plan.

20. The timing of demolition and vegetation clearance should avoid the bird breeding season. Therefore, no demolition or vegetation clearance work should be undertaken between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check for active birds' nests immediately before the work is commenced. If any active nests are discovered, then the nest should be left undisturbed until the birds have fledged with an appropriate buffer surrounding the nest.

Reason: In the interest of protecting breeding birds in accordance with Policy CLP16 of the Adopted Local Plan.

21. A scheme of hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development hereby approved, the details of which shall include :-
- a) indications of all existing trees, hedgerows and other vegetation on the land;
 - b) all vegetation to be retained including details of the canopy spread of all trees and hedgerows within or overhanging the site, in relation to the proposed buildings, roads, and other works;
 - c) measures for the protection of retained vegetation during the course of development;
 - d) soil preparation, cultivation and improvement;
 - e) all plant species, planting sizes, planting densities, the number of each species to be planted and plant protection;
 - f) grass seed mixes and sowing rates;
 - g) finished site levels and contours;
 - h) means of enclosure;
 - i) car park layouts;
 - j) other vehicle and pedestrian access and circulation areas;
 - k) hard surfacing materials;
 - l) minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);
 - m) proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);
 - n) retained historic landscape features and proposed restoration, where relevant.

Reason: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features in accordance with policy CLP20 of the Adopted Local Plan.

22. A Landscape and Biodiversity Enhancement and Management Plan (LBEMP) shall be submitted to, and be approved in writing by, the LPA prior to the commencement of the development. The aim of the LBEMP is to provide details for the creation, enhancement and management of habitats as set out in the Bond Bryan 'Proposed GA Landscape Layout' drawing (Reference CCEL-BBA-A2- XX-DR-L-1010 S1 DRAFT), dated 25.05.2023. It should also provide details and locations of biodiversity enhancement features provided post development and retained and created habitats in line with the submitted Biodiversity Net Gain Assessment – Feasibility Stage

document dated September 2023 V2.0. The LBEMP should combine both the ecology and landscape disciplines and shall be suitable to provide to the management body responsible for the site. It shall include the following:-

- a) Description and location of features to be retained, created, enhanced and managed.
- b) Aims and objectives of management.
- c) Appropriate management methods and practices to achieve aims and objectives.
- d) Prescriptions for management actions
- e) Preparation of a work schedule (including a work plan capable of being rolled forward in perpetuity).
- f) Details of the body or organization responsible for implementation of the plan.
- g) A monitoring schedule to assess the success of the habitat creation and enhancement measures.
- h) Monitoring reports to be sent to the Council at each of the intervals above
- i) A set of remedial measures to be applied if conservation aims and objectives of the plan are not being met.
- j) Detailed habitat enhancements for wildlife, including universal swift nest boxes in line with British Standard 42021:2022 on new structures, bird nest boxes, integrated or external bat boxes, fencing gaps 130 mm x 130 mm to maintain connectivity for hedgehogs and insect bricks / towers.
- k) Requirement for a statement of compliance upon completion of planting and enhancement works.
- l) Submission of an updated metric based on the landscaping scheme as approved under condition 21.

The LBEMP shall also include details of the legal and funding mechanism(s) by which the long-term (30 Years +) implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LBEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan shall be implemented in accordance with the approved details.

Reason: To ensure the long term management of the site including highways and open spaces and the protection of wildlife and habitat objectives, to secure opportunities for enhancing the site's

biodiversity value in the long term in accordance policy CLP16 of the Adopted Local Plan

23. No development shall take place until a detailed design and associated management and maintenance plan of the surface water drainage for the site, in accordance with the principles outlined within: a. Flood Risk Assessment and Drainage Strategy, Reference: Wie19853-100-R-1-1-3- FRA, prepared by Waterman Dated 24th April 2023 and response from Waterman, reference: CC-LLFA Response, Dated 20th September 2023 and “including any subsequent amendments or updates to those documents as approved by the Flood Risk Management Team” b. And DEFRA’s Non-statutory technical standards for sustainable drainage systems (March 2015), have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed development does not increase flood risk and that the principles of sustainable drainage are incorporated into this proposal, and sufficient detail of the construction, operation and maintenance/management of the sustainable drainage systems are provided to the Local Planning Authority, in advance of full planning consent being granted.

24. Prior to commencement of the development, the applicant shall submit for approval to the LPA details indicating how additional surface water run-off from the site will be avoided during the construction phase. The applicant may be required to provide collection, balancing and/or settlement systems for these flows. The approved system shall be operating to the satisfaction of the LPA, before the commencement of any works, which would lead to increased surface water run-off from site during the construction phase.

Reason: To ensure surface water is managed appropriately during the construction phase of the development, so as not to increase the flood risk to adjacent land/properties or occupied properties within the development.

25. Prior to the first occupation of the development, a verification report carried out by a suitably qualified independent drainage engineer must be submitted to and approved by the Local Planning Authority. This must demonstrate that the drainage system has been constructed as per the agreed scheme (or detail any minor

variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls). Reason: To ensure that the drainage system is constructed to the national Non-statutory technical standards for sustainable drainage and CIRIA standards C753

Reason: To ensure that the drainage system is constructed to the national Non-statutory technical standards for sustainable drainage and CIRIA standards C753.

26. a) Prior to works commencing on site, detailed proposals in line with current best practice for the removal, containment or otherwise rendering harmless such contamination (the 'Contamination Proposals') as identified in the Geo-Environmental Assessment Report (Issue 01) dated August 2023, shall be submitted to and approved in writing by the Local Planning Authority;
- c) For each part of the development, 'Contamination Proposals' relevant to that part shall be carried out either before or during such development as appropriate;
- d) If during development works any contamination should be encountered which was not previously identified and is derived from a different source and/or of a different type to those included in the 'Contamination Proposals' then the revised 'Contamination Proposals' shall be submitted to and approved in writing by the Local Planning Authority;
- e) If during development work site contaminants are found in areas previously expected to be clean then their remediation shall be carried out in line with the agreed 'Contamination Proposals';
- f) Prior to the commencement of any construction works in any area that has been subject to remediation, a verification report shall be submitted to and approved in writing by the Local Planning Authority.

Reason: This pre commencement condition is required in the interests of safeguarding the proposed development and adjacent properties from the possible harmful effects of development affecting contaminated land, in accordance with Policy CLP14 of the Adopted Local Plan.

27. Prior to works progressing on site above slab level, details of cycle parking for no less than 10 cycles shall be submitted to and agreed in writing by the Local Planning Authority. The agreed details shall

be fully installed on site prior to first occupation of the premises hereby approved and retained as such thereafter.

Reason: To ensure appropriate cycle parking on site in accordance with Policies CLP20 and 22 of the Adopted Local Plan.

Informatives:

1. The Local Planning Authority have during and prior to the consideration of this application engaged in a positive and proactive dialogue with the applicant with regard to achieving a positive outcome for the application.
2. The active nests of all wild birds are protected under the Wildlife and Countryside Act 1981 (as amended). An active nest is one being built, containing eggs or chicks, or on which fledged chicks are still dependent.
3. Coal:
Shallow coal seams - In areas where shallow coal seams are present caution should be taken when carrying out any on site burning or heat focused activities.
4. Highways:
Pursuant to Sections 149 and 151 of the Highways Act 1980, steps shall be taken to ensure that mud or other extraneous material is not carried out of the site and deposited on the public highway. Should such deposits occur, it is the applicant's responsibility to ensure that all reasonable steps (e.g. street sweeping) are taken to maintain the roads in the vicinity of the site to a satisfactory level of cleanliness.
5. If construction works are likely to require Traffic Management, advice regarding procedures should be sought from the County Council Traffic Management Team. All road closure and temporary traffic signal applications will have to be submitted via the County Councils web-site; relevant forms are available via the following link - http://www.derbyshire.gov.uk/transport_roads/roads_traffic/roadworks/default.asp
6. It is expected that contractors are registered with the Considerate Constructors scheme and comply with the code of conduct in full, but particularly reference is made to "respecting the community" this says: Constructors should give utmost consideration to their impact on neighbours and the public Informing, respecting and showing courtesy to those affected by the work; Minimising the impact of deliveries, parking and work on the

public highway; Contributing to and supporting the local community and economy; and Working to create a positive and enduring impression, and promoting the Code. The CMP should clearly identify how the principal contractor will engage with the local community; this should be tailored to local circumstances. Contractors should also confirm how they will manage any local concerns and complaints and provide an agreed Service Level Agreement for responding to said issues. Contractors should ensure that courtesy boards are provided, and information shared with the local community relating to the timing of operations and contact details for the site coordinator in the event of any difficulties. This does not offer any relief to obligations under existing Legislation.

7. LLFA:

Advisory/Informative Notes (It should be noted that the information detailed below

(where applicable), will be required as an absolute minimum in order to discharge any of the drainage conditions set by the LPA):

- A. The County Council does not adopt any SuDS schemes at present (although may consider ones which are served by highway drainage only). As such, it should be confirmed prior to commencement of works who will be responsible for SuDS maintenance/management once the development is completed.
- B. Any works in or nearby an ordinary watercourse may require consent under the Land Drainage Act (1991) from the County Council. For further advice, or to make an application please contact Flood.Team@derbyshire.gov.uk.
- C. No part of the proposed development shall be constructed within 5-8m of an ordinary watercourse and a minimum 3 m for a culverted watercourse (increases with size of culvert). It should be noted that DCC have an anti-culverting policy.
- D. The applicant should be mindful to obtain all the relevant information pertaining to proposed discharge in land that is not within their control, which is fundamental to allow the drainage of the proposed development site.
- E. The applicant should demonstrate, to the satisfaction of the Local Planning Authority, the appropriate level of treatment stages from the resultant surface water discharge, in line with Table 4.3 of the CIRIA SuDS Manual C753.
- F. The County Council would prefer the applicant to utilise existing landform to manage surface water in mini/sub-catchments. The applicant is advised to contact the County Council's Flood Risk Management team should any guidance on the drainage strategy for the proposed development be required.

- G. The applicant should provide a flood evacuation plan which outlines:
- The flood warning procedure
 - A safe point of extraction
 - How users can safely evacuate the site upon receipt of a flood warning
 - The areas of responsibility for those participating in the plan
 - The procedures for implementing the plan
 - How users will be made aware of flood risk
 - How users will be made aware of flood resilience
 - Who will be responsible for the update of the flood evacuation plan
- H. Flood resilience should be duly considered in the design of the new building(s) or renovation. Guidance may be found in BRE Digest 532 Parts 1 and 2, 2012 and BRE Good Building Guide 84.
- Surface water drainage plans should include the following:
- Rainwater pipes, gullies and drainage channels including cover levels.
 - Inspection chambers, manholes and silt traps including cover and invert levels.
 - Pipe sizes, pipe materials, gradients, flow directions and pipe numbers.
 - Soakaways, including size and material.
 - Typical inspection chamber / soakaway / silt trap and SW attenuation details.
 - Site ground levels and finished floor levels.
- On Site Surface Water Management;
- The site is required to accommodate rainfall volumes up to the 1% probability annual rainfall event (plus climate change) whilst ensuring no flooding to buildings or adjacent land.
- The applicant will need to provide details and calculations including any below ground storage, overflow paths (flood routes), surface detention and infiltration areas, etc, to demonstrate how the 30 year + 35% climate change and 100 year + 40% Climate Change rainfall volumes will be controlled and accommodated. In addition, an appropriate allowance should be made for urban creep throughout the lifetime of the development as per 'BS 8582:2013 Code of Practice for Surface Water Management for Developed Sites' (to be agreed with the LLFA).
- Production of a plan showing above ground flood pathways (where relevant) for events in excess of the 1% probability annual rainfall event, to ensure exceedance routes can be safely managed.
- A plan detailing the impermeable area attributed to each drainage asset (pipes, swales, etc), attenuation basins/balancing ponds are to be treated as an impermeable area.
- Peak Flow Control
- For greenfield developments, the peak run-off rate from the development to any highway drain, sewer or surface water body for the

1 in 1 year rainfall event and the 1 in 100 year rainfall event, should never exceed the peak greenfield run-off rate for the same event.

For developments which were previously developed, the peak run-off rate from the development to any drain, sewer or surface water body for the 100% probability annual rainfall event and the 1% probability annual rainfall event must be as close as reasonably practicable to the greenfield run-off rate from the development for the same rainfall event, but should never exceed the rate of discharge from the development, prior to redevelopment for that event.

Volume Control

For greenfield developments, the runoff volume from the development to any highway drain, sewer or surface water body in the 6 hour 1% probability annual rainfall event must not exceed the greenfield runoff volume for the same event.

For developments which have been previously developed, the runoff volume from the development to any highway drain, sewer or surface water body in the 6 hour 1% probability annual rainfall event must be constrained to a value as close as is reasonably practicable to the greenfield runoff volume for the same event, but must not exceed the runoff volume for the development site prior to redevelopment for that event.

Note:- If the greenfield run-off for a site is calculated at less than 2 l/s, then a minimum of 2 l/s could be used (subject to approval from the LLFA).

Details of how the on-site surface water drainage systems shall be maintained and managed after completion and for the lifetime of the development to ensure the features remain functional.

Where cellular storage is proposed and is within areas where it may be susceptible to damage by excavation by other utility contractors, warning signage should be provided to inform of its presence. Cellular storage and infiltration systems should not be positioned within the highway.

Guidance on flood pathways can be found in BS EN 752.

The Greenfield runoff rate which is to be used for assessing the requirements for limiting discharge flow rates and attenuation storage for a site should be calculated for the whole development area (paved and pervious surfaces - houses, gardens, roads, and other open space) that is within the area served by the drainage network, whatever the size of the site and type of drainage system. Significant green areas such as recreation parks, general public open space, etc., which are not served by the drainage system and do not play a part in the runoff management for the site, and which can be assumed to have a runoff response which

is similar to that prior to the development taking place, may be excluded from the greenfield analysis.

If infiltration systems are to be used for surface water disposal, the following information must be provided:

Ground percolation tests to BRE 365.

Ground water levels records. Minimum 1m clearance from maximum seasonal groundwater level to base of infiltration compound. This should include assessment of relevant groundwater borehole records, maps and on-site monitoring in wells.

Soil / rock descriptions in accordance with BS EN ISO 14688-1:2002 or BS EN ISO 14689- 1:2003.

Volume design calculations to 1% probability annual rainfall event + 40% climate change standard. An appropriate factor of safety should be applied to the design in accordance with CIRIA C753 – Table 25.2.

Location plans indicating position (soakaways serving more than one property must be located in an accessible position for maintenance). Soakaways should not be used within 5m of buildings or the highway or any other structure.

Drawing details including sizes and material.

Details of a sedimentation chamber (silt trap) upstream of the inlet should be included.

Soakaway detailed design guidance is given in CIRIA Report 753, CIRIA Report 156 and BRE Digest 365.

All Micro Drainage calculations and results must be submitted in .MDX format, to the LPA. (Other methods of drainage calculations are acceptable.)

The applicant should submit a comprehensive management plan detailing how surface water shall be managed on site during the construction phase of the development ensuring there is no increase in flood risk off site or to occupied buildings within the development.

The applicant should manage construction activities in line with the CIRIA Guidance on the Construction of SuDS Manual C768, to ensure that the effectiveness of proposed SuDS features is not compromised.

See Appendix A for the requirements for verification reports.