

**ITEM 1****Erection of a rail-related research, development, innovation and training centre including associated infrastructure, ancillary works and electricity sub station at Barrow Hill Railway Centre, Campbell Drive, Barrow Hill for Chesterfield Borough Council**

Local Plan: CLP6 Economic Growth and RP1 Regeneration priority area

Ward: Staveley North

Plot No:

Committee Date: 29<sup>th</sup> January 2024**CONSULTATIONS**

CBC Environmental Health	I note that there has been an assessment made on possible contaminated land issues at the site. I note the conclusions reached, and agree with the recommendations. I look forward to receiving the Materials Management Plan regarding the reuse of soils on the site.
Derbyshire Fire and Rescue	No objection
CBC Conservation Officer	Comments made see report
CBC Economic Development	Local labour/supply chain condition requested
Yorkshire Water	Conditions recommended
Highway Authority	Comments made see report
Archaeology	Comments made see report
Derbyshire Constabulary	No objection
Coal Authority	Comments made and conditions recommended.
Transition Chesterfield	Comments made see report
Trans Pennine Trail	Comments made see report
Chesterfield Cycle Campaign	No response received
CBC Urban Design Officer	No response received

CBC Climate Change Officer	No response received
Derbyshire Wildlife Trust	No response received
CBC Design Services Drainage	No response received
Historic England	No comment to make
CBC Strategic Planning	No response received
LLFA	No response received
Staveley Town Council	No response received
Representations	None received in response to neighbour letter, site and press notice

## 2.0 **THE SITE**

- 2.1 The application site is the Barrow Hill Roundhouse Railway Centre, specifically the area between the existing modern red brick engine shed and the historic coal stage. The application site includes the Barrow Hill roundhouse which is the last surviving operational locomotive turntable in the UK with an which was built in 1870. There is a museum and café on site.
- 2.2 To the south of the site are commercial buildings with residential uses to the south east. The site is well contained with gated access and parking to the front of the café building and along the access road to the west of the main roundhouse building. There are 50 parking spaces on site which will remain following the development.
- 2.3 The existing engine shed on site is a Grade II listed building, the listing notes:  
“Locomotive 'roundhouse' or. engine shed. Circa 1870s, built for the Staveley Coal and Iron Company. Iron-framed, clad in brick with renewed part-glazed roof (originally lead sheeting) to roundhouse, Welsh slate to ancillary buildings. Plan completely intact. The roundhouse (in fact rectangular on plan) shelters the turntable with 22 tracks (or 'stalls'), 9 with service pits. Within the S and W corners are the fitters' workshop and office. Attached to the E corner is the general office, to the N corner the sand-dryer (in a tower over a kiln); to the W corner a watertank above a general workshop. Detached to the SW are the mess and lamp shed, the machine shop and, at the entrance a later (possibly 1940s) sander unit (to enable the locomotives to grip

the rails). All ancillary buildings of brick with simple detailing (windows under cambered arches, some with original frames with small panes) except the lamp shed which is timber. The machine shop has a prominent louvred roof. Principal roundhouse with H-section iron or steel uprights, the valley gutters issuing into attached downpipes. 6 x 5 unequal bays. Cobbled floor. Extractor fan fittings (the fans removed). Turntable renewed C1931 by Cowans, Sheldon & Co Ltd, Carlisle). The building functioned both as a workshop and a turning place for locomotives serving the local coal mines and iron works. It is (1990) the last operational roundhouse in Britain and is notable for retaining its full complement of associated buildings.”

### 2.4 Location plan and google view of the site:



### 2.5 Site images:





### **3.0 SITE HISTORY**

3.1 Numerous applications over the years relating to the general growth of the site, however no specific history relevant to this application.

### **4.0 THE PROPOSAL**

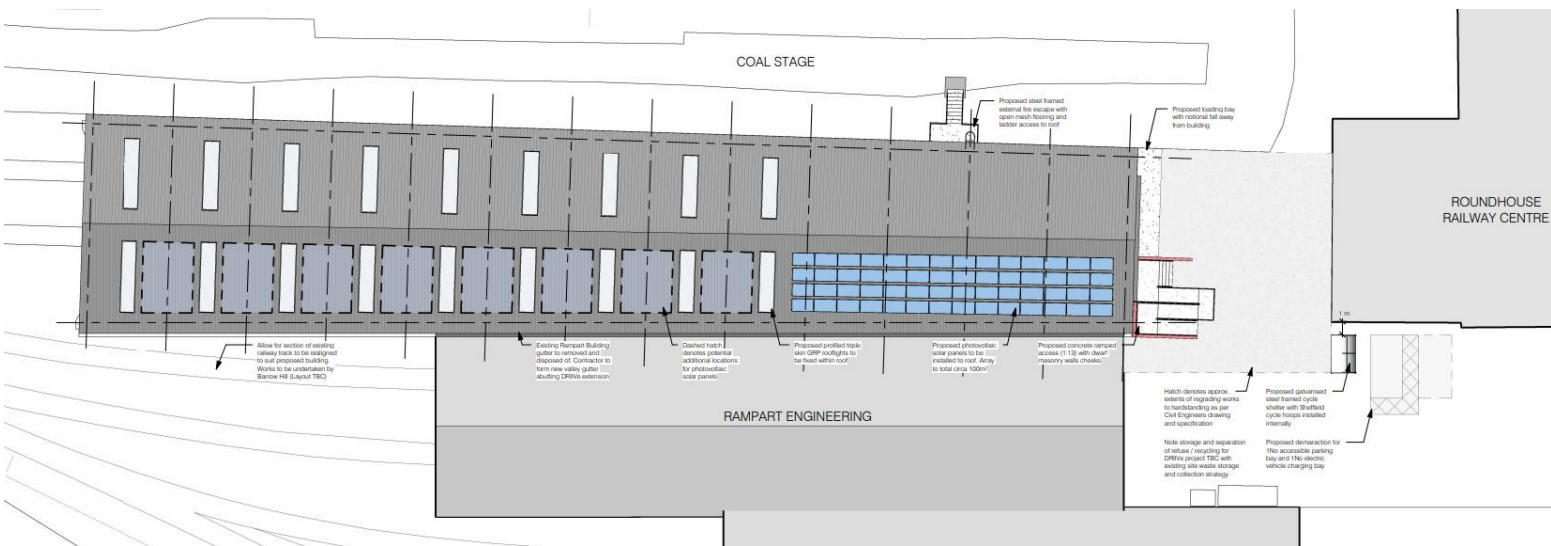
4.1 Planning permission is sought for the erection of a rail related research, development, innovation and training centre with associated infrastructure including a sub station to be located to the site frontage.

4.2 The building will host the Derbyshire Rail Industry Innovation Vehicle (DRIIve), supporting the delivery of a modern rail innovation and training centre. The project is sponsored by Chesterfield Borough Council and funded through the Staveley Town Deal.

4.3 it is anticipated that the scheme will create an estimated 22 jobs for local people and a hub from which to increase awareness of rail-related career opportunities and develop Science Technology Engineering and Maths (STEM) skills required to access them through a community outreach programme that will reach an expected 1,000 individuals per year. It is hoped that the development will make Chesterfield and Barrow Hill a prominent location for rail technology through the creation of a rail innovation hub focused on green technologies including energy optimisation, smart maintenance and digital. It is also hoped it will provide a catalyst for growth by allowing the rail related supply chain to have access to the very latest rail research and innovation enabled by partnerships with the University of Derby and New Rail, part of the University of Newcastle.

4.4 Briefly the application comprises; the rail building, alterations to the coal stage to allow the new building, surface water storage with attenuation tank underground, new electricity sub station near the site entrance, cycle parking and EV charging points.

4.5 The proposed site plan of the new slightly tapering building showing the increased width to the rear/west of the structure, with solar panels, associated cycle, EV and accessible parking, stair and access ramp:



4.6 A 3D image of the proposed building:



PROPOSED SITE ISOMETRIC VIEW

4.7 The building will accommodate a main hall on the ground floor with inspection pits with office and associated mess facilities. On the upper floor to the east side of the building there will be toilets, 2 classrooms, breakout space and digital experience lab.

## 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.

5.1.2 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that; In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

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

CLP1 Spatial Strategy (Strategic Policy)

CLP2 Principles for Location of Development (Strategic Policy)

CLP6 Economic Growth (Strategic Policy)

CLP7 Tourism and the Visitor Economy

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  
RP1 Regeneration Priority Areas (Strategic Policy)

### 5.3 **Other Relevant Policy and Documents**

National Planning Policy Framework (NPPF):

Part 2. Achieving sustainable development

Part 4. Decision-making

Part 6. Building a strong, competitive economy

Part 8. Promoting healthy and safe communities

Part 9. Promoting sustainable transport

Part 12. Achieving well-designed places

Part 14. Meeting the challenge of climate change, flooding and coastal change

Part 15. Conserving and enhancing the natural environment

Part 16. Conserving and enhancing the historic environment

### 5.4 **Key Issues**

- **Principle of development**
- **Heritage and Design**
- **Impact on residential amenity;**
- **Highway safety**
- **Biodiversity**
- **Ground conditions**
- **Drainage**

### 5.5 **Principle of Development**

- 5.5.1 The application site is within the defined area for economic growth and regeneration. Policy CLP6 states in part that:  
Development should deliver sustainable economic growth by supporting existing jobs and businesses and delivering inward investment. Proposals that facilitate a mix of uses will be encouraged. Planning permission will be granted for new employment developments where they accord with the council's overall spatial strategy as set out c) B1(b&c) and B2 Industrial uses within

Established Business Areas (as shown on the Policies Map) and at areas at Markham Vale, the Staveley and Rother Valley Corridor, and the Chatsworth Road Corridor.

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.

5.5.2 Policy RP1 states in part:

Within the Barrow Hill Regeneration Priority Area, development is expected to:

iii. support the activities of Barrow Hill Roundhouse as a visitor attraction and centre for employment.

5.5.3 The proposed development is looking to create jobs, promote training and employment opportunities in connection with sustainable travel as part of a valued local facility. The sustainable aims of the proposal and regeneration benefits are in line with the wider aims of the Local Plan. On this basis the proposal, subject to a condition to support local labour, skills and supply chain, is considered to meet the requirements of Policies CLP6 and RP1.

5.5.4 In terms of climate matters it is clear that the scheme has sustainability aims in terms of climate change but there is limited detail included within the application. Solars are to be incorporated into the roof design. It is therefore considered reasonable to impose a pre commencement condition for a statement setting out climate aims to be submitted in line with the aims of Policy CLP20 of the Adopted Local Plan.

## **5.6 Heritage and design**

5.6.1 In terms of heritage matters there is the setting of the Grade II listed round house to consider along with the wider archaeology and historic integrity of the site.

5.6.2 Policy CLP21 sets out 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.



- 5.6.3 This is in line with the NPPF para 205: When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 5.6.4 Para 208 states: Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 5.6.5 In addition, para 209 states: The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 5.6.6 The Council's Conservation Officer has commented on the scheme as follows:  
"The proposed development would be located within the boundaries of the grade II listed Barrow Hill Engine Shed (aka Roundhouse), which was constructed in 1870 for the Staveley Coal and Iron Company and is the last surviving railway roundhouse in the UK with an operational turntable. The Engine Shed is located within a complex of industrial buildings and railway sidings - the building itself is something of a hybrid structure with Victorian brick elevations (including ornate brickwork and timber arched windows with keystones typical of railway architecture), a modern corrugated roof and a contemporary brick and glass extension building on the eastern elevation (which operates as a café and meeting area).
- The applicant's proposed elevation drawing shows a large rectangular industrial building abutting the existing 'Rampart Engineering' building, which in turn abuts the 'Harry Needle Railroad' building. The new building would be similar in design, scale, style and massing to these two buildings, albeit slightly larger in height, and with a different fenestration arrangement and elevation materials. The new development would be located north-west of the Engine Shed, closest to a smaller hipped roof Victorian building which is separate to, but abuts the main shed. I don't see any separate buildings or structures

on the applicant's elevations or site plans that might be 'associated infrastructure, ancillary works and electricity substation' so cannot comment on that part of the scheme. I would view the proposed new building as an extension or addition to the existing non-listed modern 'Rampart Engineering' and 'Harry Needle Railroad' buildings which are a major part of the existing complex. The proposed new building will have something of an impact on the setting of the listed Engine Shed, given its height and close proximity, including the smaller Victorian hipped roof building, but it should be recognised that the complex is already a diverse mix of historic, modern and industrial buildings and structures all in close proximity. Overall, I would consider the impact on historic setting to cause less than substantial harm, hence in accordance with the NPPF (para 205), any harm should be balanced against the public benefits of the proposals, which in this case I would say are significant, i.e. the continued economic sustainability and regeneration of the site and local area. On that basis I would have no objections to the proposals as shown."

#### 5.6.7

The County Archaeologist has commented that:

"The proposed application area lies hard up against The Barrow Hill Roundhouse which is "notable for being the last surviving railway roundhouse (locomotive storage and maintenance shed) in the United Kingdom with an operational turntable...In recognition of its historic and architectural significance, it is designated as a Grade II Listed Building" (Heritage Assessment submitted with application) recorded on the Derbyshire HER (DDR1120). I note too that the "Coal Stage" is both contemporary with the Roundhouse and will be physically impacted by the proposals. It is my opinion that the coal stage is a heritage asset in its own right and that it and the Roundhouse have group value. The proposed development then will have both a direct harmful impact on the coal stage itself and will have an impact on the setting of the Roundhouse itself, as the two structures retain an historic relationship and are an authentic survival of industrial infrastructure "...significant not only for this locality but for the entire country" (Heritage Statement p12).

The proposed development proposal therefore in my opinion, and here I disagree with the submitted Heritage Statement, that the proposed development represents harms to extant heritage assets and to the setting of a nationally and internationally important survival of the Industrial revolution.

In this context I advise that these proposals should be considered in the light of:

1. Para 199 of NPPF where “great weight should be given to the asset’s conservation...irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance”

2. Para 200 of NPPF where “Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of: (a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;...)

3. Para 202 of NPPF “Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.” However, should you be of a mind to grant this application then a programme of recording works pre-commencement will be necessary under Para 205 of NPPF, and this should comprise:

- Archaeological recording of the upstanding “coal stage” and associated siding to include metric earthwork survey. Metric survey possibly using 3D photogrammetry of the upstanding stone and brick fabric (suitably cleaned to reveal detail of sequences) revetments of the “coal stage”, reporting to include an evidence based narrative account of the development of the coal stage and its alteration over time.
- Archaeological monitoring and recording of the impacts of development to the “coal stage” and the production of record and an evidence based narrative. These works can be secured by attaching a suitable condition to planning consent, the wording of which should read.

All works should be in accordance with a pre-approved WSI, compiled by the contractors engaged to undertake the work in the field, in consultation with this office. All works should be undertaken by archaeologists suitably and demonstrably experienced and be to current national industry standards.”

#### 5.6.8

The proposed development of a new contemporary design building nestled between the existing red brick modern engine shed and the coal stage will result in adverse impacts on the setting of the Grade II listed Roundhouse and the non-designated heritage asset which is the coal stage, through change to the historic environment. This level of harm is considered less than substantial harm.

5.6.9

The Coal stage is clear on maps data from 1897 with a building apparent as part of the structure, although this no longer exists. The Coal Stage is a substantial bank located between the rail tracks with stone walling to the north eastern elevation. To the south western side it appears more of an earth bank with ramped pedestrian access from the rear of the Roundhouse and which is a modern alteration of the coal stage.



The Coal Stage

5.6.10

Images of the Coal Stage:



Top with development site to left



Path leading up coal stage



View from south

- 5.6.11 In terms of the Coal Stage the Heritage Statement sets out:  
“The coal stage is an historic feature associated with the operation of steam-powered locomotives. The raised structure allowed coal to be tipped into the tenders of steam locomotives. Coal was loaded into small wagons which were hauled along a narrow gauge trackway (since removed) up to the highest point of the embankment. The wagons were then upturned from a loading platform, allowing the coal to be dropping into the coal tenders of steam locomotives. The lower levels of the coal stage feature retaining structures, being a mix of stone wall, brick wall and (on the southern side) metal sheet piling, the latter being a relatively recent introduction (post-dating the restoration of the overall site’s use for railway purposes). Above these retaining structures is a steeply sloping grass covered embankment. Railings and fencing have been installed along the top of the coal stage for safety reasons. At its eastern end, a pedestrian ramp has been created to allow visitor access to the top of the coal stage. This ramp also post-dates the site’s restoration to active use. Historically, there was no such pedestrian access from the eastern end.”
- 5.6.12 The Heritage Statement concludes:  
“The construction of the DRIIVE building will require the ‘toe’ of the eastern end of the coal stage to be reduced, with a replacement retaining structure constructed. The coal stage in that area will consequently be narrower than at present. The height of the structure and its overall form will remain unchanged. The part of the coal stage to be removed is not entirely original, having been modified in recent years to accommodate the pedestrian ramp, with a mix of retaining materials deployed, not all consistent with the age or character of the coal stage (such as modern concrete paving slabs). The material that will be removed as part of these works is not considered to hold any

specific heritage value (it is understood to comprise a mix of made ground). Following the completion of the works, the coal stage will continue to be 'read' as it is now. Visitors will continue to be able to understand the form and related function of the coal stage.

The removal of the pedestrian ramp from the eastern end of the coal stage will preclude the ability of visitors to gain access to the top of the coal stage in the way that is currently possible. It will remain possible to access the top of coal stage from the western end, but as that would require access through the active rail yard, it will only be available to visitors with escort. The reduced visitor access to the top of the coal stage will restrict the ability of visitors to experience elevated views across the rail yard and towards the Roundhouse. This will limit the positive experience of the setting of the Roundhouse and the coal stage. Such an experience has, however, only recently come about, as the ramp access is not an original feature of the coal stage and could be argued as an inappropriate incursion in its own right. Such elevated views are also not fundamental to the understanding of the setting of the coal stage or the Roundhouse. It is understood that Barrow Hill Limited are developing proposals for alternative ramped access, to be progressed outside of the DRIVE process. Subject to those proposals coming to fruition and being implemented, the setting of the heritage assets derived from the aforesaid visitor experience will be restored.”

5.6.12 The proposed building is purposely contemporary in its design and of a clad finish rather than brick so that the evolution of the site can be clearly seen from the style of the buildings. In this regard the proposed building does not seek to compete in prominence through its design. This is considered to be an appropriate approach to the development of the site in line with policy CLP20 which requires that; All development should identify and respond positively to the character of the site and surroundings and respect the local distinctiveness of its context. The proposed substation is to be located to the site frontage close to the gated access which is considered to be appropriate, details of the substation are to be provided via condition as no details of this essential element of the scheme have been provided.

5.6.13 The construction of the building will be in close proximity to the Coal Stage and impact on it through the construction of the building and an emergency stepped access from the upper floor of the proposed building being provided in the form of a stair and link onto the Coal Stage. Therefore the development will result in changes being made to this historic structure. This structure is not listed in its own right but is a

non-designated asset due to its historical connection to the wider site. Whilst the structure has been altered over time, the proposed works to this will have a less than substantial harmful impact on this asset. However, the overall benefits arising from the development, not only securing the long term operation of the wider site, but also bringing forward social benefits of training and employment in an area of needed regeneration, are considered to outweigh the less than substantial harm to both the designated (Listed Building) and non-designated (Coal Stage) assets in line with policy CLP21 of the Adopted Local Plan and Para 208 of the NPPF.

## **5.7 Impact on Residential Amenity**

- 5.7.1 Policy CLP14 requires that; All developments will be required to have an acceptable impact on the amenity of users and adjoining occupiers, taking into account noise and disturbance, dust, odour, air quality, traffic, outlook, overlooking, shading (daylight and sunlight) and glare and other environmental impacts.
- 5.7.2 The application site is substantially separated from nearby residential properties such that the operations to be undertaken within the building once constructed will have no greater impact than that of the existing operations on site.
- 5.7.3 Due to this it is not considered necessary to restrict the hours of operation or the construction process.

## **5.8 Highways Safety and Parking Provision**

- 5.8.1 Policy CLP22 sets out that; To reduce congestion, improve environmental quality and encourage more active and healthy lifestyles, the Council will seek to maximise walking, cycling and the use of public transport through the location and design of development and parking provision. Priority will be given to measures to encourage more sustainable travel choices.  
The policy goes on to note that;  
Development proposals will not be permitted where they would have an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 5.8.2 The Highway Authority has commented on the case:  
“Details of the specific land use classification are not provided; therefore, it is assumed that the applicant is applying under the

category of sui generis. However, according to the schedule of accommodation provided, the proposal's floor space is primarily used for educational / training use. This is considered to be under class D1 (Non-residential institutions), it would therefore be beneficial if the applicant could confirm the land use classification of the proposal. The applicant also states that the proposal will lead to an increase of 5 – 25 employees on site, this estimate is too broad to accurately assess the traffic impact that the proposal will have on site. To assess the amount of traffic generated from the proposal, the applicant will need to provide further information on the number of users accessing the site. Specifically, a smaller employee range, clarification on whether this includes the trainees/students on site and if not, how many students will be accessing the site. While it is understood that currently there are approximately 50 car parking spaces, these will need to be represented on a plan to provide a satisfactory assessment. The applicant should be informed that for the relocation of stored equipment to provide increased car parking space to be considered, this must also be represented on a plan within the application. Also, that the overspill car park referred to in the 'Design and Access Statement' cannot be considered within the proposal as it is outside the applicant's site boundary. For the highway authority to fully assess the potential implications of the proposal, further details are required based on the aforementioned comments. I request that you could ask the applicant to provide a transport statement addressing the concerns highlighted and in the meantime, please hold the application in abeyance until the appropriate information is submitted."

### 5.8.3

Transition Chesterfield have commented on this:

"Firstly, we welcome the investment of £4.9 million from the Staveley Town Deal for this Derbyshire Rail Industry Innovation Vehicle (DRIVE) at Barrow Hill and the local training and jobs it will provide in a sustainable transport industry. Given the possibility of the reopening of the rail passenger line to Barrow Hill and a new station, this could provide a much needed boost to the area, as well as a more sustainable way of accessing the site. We also welcome the fabric-first design of the building, and the installation of PV panels and air source heat pumps. The Design and Access statement does not indicate whether it will aim to achieve BREAAAM accreditation, but as a publicly funded high profile building we hope that it will meet at least a BREEAM Excellent rating. We also hope that the construction of the building will also be used as a training opportunity for local contractors to learn more about sustainable construction techniques. We welcome the cycle parking, but our only concern with this development is the



lack of consideration given to promoting walking and cycling to this site and Barrow Hill as a whole. The briefing section on 'parking and access' in the Design and Access statement talks mainly about car access, despite the fact that this is a railfocused development that is designed to be sustainable. The canal towpath, a popular walking and cycling route for families and part of the Trans Pennine Trail, is less than 200m from the Roundhouse, but exiting onto Works Road at Hollingwood Hub, it is a dangerous and dispiriting walk or cycle from there to the Roundhouse. The pavement is narrow, discontinuous and crosses wide entrances/exits with no safe crossing points (eg at Station Road). While this is outside the current planning application we hope that the Council will be using some of the Staveley Town Fund to provide a much better experience for people walking and cycling from Hollingwood Hub, including wider continuous pavements and good signage to/from the Roundhouse. For residents and visitors to Chesterfield this could be an attractive and popular recreational walk/cycle from Chesterfield rail station all the way to the Roundhouse. However, the last 200m of that walk needs serious improvement to make that vision a reality."

#### 5.8.4

The Trans Pennine Trail have commented:

"It is acknowledged that the Trans Pennine Trail / National Cycle Network (NCN67) is not directly adjacent to the development, however it is a major sustainable transport route locally, regionally and nationally and will enable future employees to access the site using sustainable means. The Design and Access Statement notes cycle parking but does not show the location or number.

Pg 6 of the Design and access statement - Will the cycle parking accommodate all cycle types? The proposed site plan does not indicate the location of cycle parking and the Design & Access Statement does not state the number of cycle spaces to be provided. Pg 12 of the Design and access statement - Large emphasis on extending the number of parking bays, is this needed if an overspill car park is already available? It would enhance the sustainable transport offer of this site if this section could highlight the close proximity of the Trans Pennine Trail / National Cycle Network to the site.

In terms of the Trans Pennine Trail / National Cycle Network there has been an aspiration to upgrade to bridleway status which is supported by our partners at both Derbyshire County Council and Chesterfield Borough Council. It is hoped the development could attribute some funding to sustainable transport, in particular the access controls along Works Road to the TPT/NCN which will not allow full access,

particularly for equestrians or people with larger mobility units. We would also like to seek contributions to upgrading the surfacing of the Trail. Signage could be included from the access points at Works Road and the development (both ways) as a directional aide for those using sustainable means to get to/from the site. There is a further opportunity to look at interpretation and potential artwork that could be funded to highlight the heritage of this development to raise awareness by users of the TPT/NCN.”

5.8.5 There are noted to be 50 parking spaces as existing on site and this will remain unchanged following the development.

The submission notes: It is estimated that daily occupation would fall within the following ranges:

- Workshop 2 to 20
- Teachers and Trainers 2 to 3
- Trainees 36 to 42
- Support Staff 1 to 2

The submission also notes that; the operator of the overall site intends over time to reconfigure some existing hardstanding areas, removing or relocating stored equipment and rail paraphernalia, so as to provide additional parking capacity. This will be undertaken outside of the formal planning process. Furthermore, Barrow Hill Roundhouse has access to overspill parking on land immediately to the front of the site. This is typically used when the site hosts events, but can be made available at any time. It is also noted that trainees are hoped to come from the local area.

Further information has been submitted by the applicants agent including a plan showing where the 50 spaces are located at the site. The additional information notes:

The scheme aims to deliver a rail-related training and innovation centre. The building will therefore provide opportunities for in-classroom learning and practical experience within an engineering setting. The ‘use’ of the site will be mixed, combining elements of what the Use Classes Order might define as Classes B2, E and F1, as well as sui generis. The number of people making use of the DRiive facility will vary according to its intensity of use, projects and other taskings, and learning and training being undertaken. It is estimated that daily occupation would fall within the following ranges.

The theoretical maximum capacity of the first floor classrooms and laboratories, based on the number of desks shown on the submitted

plans, would be 62. That number is, however, unlikely to be reached on a regular basis, if at all.

The aspiration is that the DRIIVe scheme will provide an estimated 1,680 days of training per year. Breaking this down to daily occupation, assuming a 'syllabus year' when the training facilities were open and in-use of 40 weeks, that would give 42 'training days' per week. Across the working week, that would result in eight or nine students/trainees being on site each day. Assuming an intensive training programme involving one tutor/trainer to two students/trainees, this would result in around 12 people being on the site for 'training' purposes each day. At the same time, there could be additional people engaged on other matters in the workshop/innovation area. Operation of the DRIIVe facility will be delivered in partnership with educational service partner(s), input from whom has informed the design of the scheme. A full educational syllabus will not be published until the programme for construction and completion of the DRIIVe facility has been established following the grant of planning permission and letting of the build contract. The above can therefore only remain as estimates at this time. Clearly, however, there will be variation in the number of people occupying the DRIIVe facility on a daily basis.

It is expected that a high proportion of the trainees will live within the boundaries of the Borough, or otherwise live within relative close proximity in the surrounding districts and cities. The operator of the DRIIVe facility, along with Barrow Hill Limited, will be keen to encourage sustainable choices of transport to and from the site. There is the prospect with the intention to re-establish a railway station at Barrow Hill with passengers services along the line between Chesterfield and Sheffield that users could also access the site by rail.

Parking demand on the site does become under pressure during special events and when necessary, the over flow parking area, located to the front of the site, is made available. The applicant is therefore confident that adequate parking for the DRIIVe facility is available and will continue to be available over the long term.

- 5.8.6 Access to the site is controlled by a security gate at the end of a private track and therefore it would not be possible to cause traffic issues with parking within the site as this is controlled. There are two main parking areas on site, in front of the café area and to the south west of the roundhouse building. In these areas the spaces are not lined out and there are areas which could be cleared to create

additional spaces. It appears that on none event days these parking areas are not used to capacity and therefore would be able to accommodate additional staff and students as a result of this development without issue. Event parking is separately controlled on an adjacent parcel of land and thereby does not impact on the day to day parking needs.

- 5.8.7 The bus stop outside the site operates the 90, 90a and 90b bus routes to Markham Vale, Cresswell and Chesterfield, these appear to run around twice an hour. There are also cycle routes in the area and cycle parking will be provided on site. Subject to a condition detailing the cycle parking it is therefore considered that the proposed development which has sustainable travel options will not result in adverse parking impacts that would harm highway safety in any way. Whilst improvements to local footpath and cycle routes would be welcome, the need for these is not considered to be reasonably required as a result of this specific development which is expansion of an existing enterprise. Local improvements will be sought under other more substantial applications for development in the area. On this basis the proposal meets the requirements of Policy CLP22.

## 5.9 **Biodiversity, impact on protected species, enhancement and Trees**

- 5.9.1 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.”
- 5.9.2 An ecological survey has been submitted which notes that there is potential for bats within the Roundhouse building, however no works are proposed to this structure and therefore there should be no impact on bats. In this regard lighting on site will be important to consider and a condition is needed for this.
- 5.9.3 The survey also notes that there are patches of open mosaic priority habitat on site supporting invertebrates, this is at the nearest point 310m from the site boundary. It is recommended to retain the dense ephemeral/short perennial vegetation present at the south-western edge of the site, where this is possible, to provide a range of pollen/nectar sources for invertebrates, or, if not possible, to replace the removed habitat with flower-rich grassland of a range of species

suitable for invertebrates. Good working practice during construction would include covering any holes or trenches overnight to prevent mammals, such as hedgehog, from falling in and being unable to escape. This is to be secured via condition.

- 5.9.4 The report also notes that; There are opportunities for biodiversity enhancement within the site, including:
- Enhancing the existing grassland habitat to increase the species diversity and grassland structure; and
  - Creating native habitat within the patch of vegetated garden, such as species-rich grassland, or mixed scrub.
- The submitted metric and enhancement plan relate only to the red edge area of the site which is restricted in terms of allowing for new planting and results in a below 10% net gain at 0.34%.
- 59.5 It is therefore considered reasonable to secure via condition a landscaping scheme for the wider controlled site along with an updated metric to achieve a 10% gain across the site. On this basis the proposed is considered to meet the requirements of policy CLP16.

## **5.10 Ground conditions**

- 5.10.1 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.
- 5.10.2 The application is accompanied by a Coal Mining Risk Assessment and Phase 1 and Phase 2 Geotechnical report. These conclude: A Coal Mining Risk Assessment (CMRA) has been undertaken and indicates a moderate risk of subsidence associated with probable shallow workings within the Second Ell seam. A moderate risk from mine gas has also been identified given the above, and the proximity of recorded shafts associated within workings within the Deep Soft and Pindar Park seams, anticipated at >50m depth, and which may provide a pathway for mine gas migration. A ground investigation and mine gas risk assessment is recommended to confirm the requirements for remedial works. A ground investigation is recommended in order to confirm the risks to human health.
- 5.10.3 The Coal Authority have commented that;  
“The application site falls within the High Risk Area. The Coal Authority records indicate that 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, specifically probable shallow coal mine workings. Voids and broken ground associated with such workings can pose a risk of ground instability and may give rise to the emission of mine gases. The Coal Authority notes the submitted Phase 2 Interpretative Ground Investigation Report (May 2023, prepared by Rodgers Leask Ltd), which accompanies the planning application. Along with appropriate and up-to-date coal mining information for the proposed development site the Report has been informed by a preliminary intrusive site investigations. Based on this review of existing mining information, and whilst the Report confirms that no coal seams were encountered, the Report goes on to confirm that further investigations will be required to establish whether the shallowest coal seam has been worked and to establish any necessary remedial measures. The Coal Authority therefore has no objection, subject to the LPA imposing a suitable condition to ensure the investigations and any necessary remedial measures. The following further works are recommended:

- An Earthworks Specification will be required for any proposed earthworks.
- A BH is recommended to be drilled in the south eastern most site extents for confirmation that the Second Ell coal seam is absent in this locality.
- A CL:AIRE approved Materials Management Plan (MMP) will likely be required for the re-use of soils on Site.”

5.10.4 The Councils Environmental Health Officer has commented that; I have inspected the above application and note that there has been an assessment made on possible contaminated land issues at the site. I note the conclusions reached and agree with the recommendations. I look forward to receiving the Materials Management Plan regarding the reuse of soils on the site. Along with the Coal Authority conditions, a further condition is recommended to secure the reports recommendations. On this basis the proposal is considered to meet the requirements of policy CLP14.

## **5.11 Drainage**

5.11.1 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. Sustainable Drainage Systems (SuDS) and clear arrangements for their ongoing

maintenance over the lifetime of the development should be incorporated into all major development, unless it can be demonstrated that this is not appropriate in a specific location. The council will seek the maximum possible reduction in surface water run-off rates based on the SFRA or most recent national guidance. Development proposals will be expected to demonstrate that water is available to support the development proposed and that they will meet the optional Building Regulation water efficiency standard of 110 litres per occupier per day.

5.11.2 The submitted drainage strategy notes:

“The site is currently an industrial yard/ railway which is classed as brownfield. Surface water runoff generated by the site currently drains via a combination of infiltration through gravelled areas and an existing surface water pipe network, which is discharged into a private culvert that outfalls to a nearby watercourse, located outside of the site boundary.

The foul water generated by the site will be discharged into an existing private foul water system which connects to a public sewer, located outside of the site boundary, operated and maintained by Yorkshire Water.

The Phase 2 Ground Investigation report by Rodgers Leask identifies that the site is entirely underlain by made ground and thus recommends against the use of soakaways as a means of surface water disposal. Therefore, in accordance with the hierarchy of SuDS, it is proposed that the surface water for the site will be discharged via a connection to the existing private surface water system on site, discharging via a culvert into a nearby watercourse, located off site. Discussions have been held with Derbyshire County Council as the Lead Local Flood Authority (LLFA), to agree an acceptable discharge rate for the proposed development. Refer to Appendix B for correspondence with the LLFA. The Greenfield run-off rate for the site was calculated as 0.6l/s, however it was considered that a restriction to this rate would give a rise to an unacceptable risk of blockages due to the small orifice size required.

Rodgers Leask has therefore agreed an increased rate of 2l/s with Derbyshire County Council’s Flood Team to mitigate the risk of blockages within the system. It is proposed that the surface water system to serve the site will provide sufficient attenuation to ensure that there is no flooding for return periods up to and including the 1 in 100 years plus 40% climate change event. This will ensure that post development flooding does not occur within the site and will therefore reduce the risk to adjacent properties.

It is proposed to attenuate flows on site via two attenuation tanks. The yard area in front of the proposed DRIVE building has been utilised to accommodate as large a tank as possible, in order to minimise the dimensions of the second tank, located beneath the main access route; this aims to reduce the impact on operations for the existing Rampart building during construction as far as practicable. The overall storage volume of approximately 83m<sup>3</sup> has been determined via an InfoDrainage model, the results of which are contained within Appendix C.

The on-site surface water pipe network will remain private, and a private management company will be appointed to maintain it. Overland flow routes will be carefully considered for blockage and exceedance events to ensure that routing is away from both existing and proposed properties.

A copy of the Finished Levels and Drainage Strategy drawings (22214-RLL-23-XX-DR-C-2001 & 22214-RLL-23-XX-DR-C-2002) are contained within Appendix D.

Several SuDS features were considered for the site, including swales, filter strips, detention basins and permeable paving. Due to the constrained nature of the site, all these options were ultimately discounted.

It is anticipated that the unit will receive relatively infrequent deliveries and that therefore the external areas will receive low volumes of trafficking; the associated pollutant load is therefore considered sufficiently low to negate the need for explicit water treatment provision.

The channel drains will feature sump units to intercept any sediment within the surface water run-off prior to out falling to the receiving watercourse.

It is therefore considered that by adhering to the SuDS strategy above, the necessary treatment will be provided to allow compliance with CIRIA C753 guidance.”

- 5.11.3 Yorkshire Water has recommended conditions and note that;
- 1.) The submitted 'Drainage Strategy' 22214- RLL - 23- XX- RP- C- 0001 (rev P02) prepared by RLRE, dated 14/09/2023 requires amendments, but if planning permission is granted, the matter can be dealt with via condition. In summary, the report states that
    - a.) Foul water will discharge to public 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 2 litres/ second.

5.11.4 Whilst it is noted that the LLFA have not replied to the application, it is clear from the drainage report that pre application discussion have been held. On this basis it is considered reasonable to impose the Yorkshire Water conditions and a condition to secure the drainage scheme as detailed. On this basis the proposal meets the requirements of Policy CLP14.

## **5.12 Development Contributions and CIL Liability.**

5.12.1 The proposed development is not liable for the Community Infrastructure Levy (CIL).

## **6.0 REPRESENTATIONS**

6.1 Following neighbour notification, site and press notices no comments have been received.

## **7.0 HUMAN RIGHTS ACT 1998**

7.1 Under the Human Rights Act 1998, which came into force on 2<sup>nd</sup> 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 /conclusion is available on the website.

## **9.0 CONCLUSION**

- 9.1 The proposed development whilst resulting in low level harm to heritage assets will bring forward public benefits which outweigh that harm in line with Policy CLP21 and Part 16 of the NPPF. The principle of development is in line with the allocation of the site in the local plan as employment land under CLP6 within the regeneration priority area RP1. Matters of residential amenity, highway safety, drainage, ecology and ground conditions have been considered and found to be acceptable subject to conditions.

## **10.0 RECOMMENDATION**

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

Proposed roof plan 22048-FSA-XX-00-DR-A-1802 received  
24.10.2023

Existing location plan 22048-FSA-XX-XX-DR-A-0800 received  
24.10.2023

Existing site plan 22048-FSA-XX-XX-DR-A-0801 received  
24.10.2023

Proposed location plan 22048-FSA-XX-XX-DR-A-0802 received  
24.10.2023

Proposed site plan 22048-FSA-XX-XX-DR-A-0803 received  
24.10.2023

Existing elevations 22048-FSA-XX-XX-DR-A-2800 received  
24.10.2023

Proposed elevations 22048-FSA-XX-XX-DR-A-2801 received  
24.10.2023

Proposed typical sections 22048-FSA-XX-XX-DR-A-3800 received  
24.10.2023

Proposed site isometric 22048-FSA-XX-XX-DR-A-7800 received  
24.10.2023

Finished levels plan 22214-RLL-23-XX-DR-C-2001 REV P02  
received 24.10.2023

Proposed ground floor plan 22048-FSA-XX-00-DR-A-1800-P01  
received 26.10.2023

Proposed first floor plan 22048-FSA-XX-01-DR-A-1801-P01  
received 26.10.2023

Reason: In order to clarify the extent of the planning permission in the light of guidance set out in "Greater Flexibility for planning permissions" by CLG November 2009.

3. a) No development shall take place until a Written Scheme of Investigation for archaeological work has been submitted to and approved by the local planning authority in writing, and until any pre-start element of the approved scheme has been completed to the written satisfaction of the local planning authority. The scheme shall include an assessment of significance and research

- questions; and 1. The programme and methodology of site investigation and recording
2. The programme for post investigation assessment
3. Provision to be made for analysis of the site investigation and recording
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation;
5. Provision to be made for archive deposition of the analysis and records of the site investigation; and
6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

b) No development shall take place other than in accordance with the archaeological Written Scheme of Investigation approved under part (a).

c) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological Written Scheme of Investigation approved under part (a) and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: To ensure appropriate consideration of non-designated heritage asset(s) and any potential below ground archaeology in line with Policy CLP21 of the Adopted Local Plan and Part 16 of the NPPF.

4. No development shall commence until:

a) a scheme of further intrusive investigations has been carried out on the site to establish the risks posed to the development by past coal mining activity, and;

b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is safe and stable for the development proposed.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

Reason: To ensure appropriate consideration of former coal mining activity on site in accordance with Policy CLP14 of the Adopted Local Plan.

5. Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

Reason: To ensure appropriate consideration of former coal mining activity on site in accordance with Policy CLP14 of the Adopted Local Plan.

6. Prior to the development commencing above slab level, details of the proposed cycle parking facilities shall be submitted to and agreed in writing by the local planning authority. The agreed cycle parking shall be installed on site prior to the building being brought into use.

Reason: To ensure appropriate cycle parking facilities in line with policy CLP22 of the Adopted Local Plan.

7. The proposed development work shall be undertaken in accordance with good working practice for ecology, including the covering overnight of any holes or trenches during construction works to prevent mammals, such as hedgehogs, from falling in and being unable to escape.

Reason: To ensure appropriate consideration of habitat and species in accordance with Policy CLP16 of the Adopted Local Plan.

8. Prior to first occupation of the development hereby approved; details of treatment of soft landscaping within the red and blue edged area, which will achieve a net gain (ideally as close to 10% as is possible) in biodiversity shall be submitted to and approved in writing by the Local Planning Authority. The site shall be landscaped strictly in accordance with the approved details in the first planting season after completion or first occupation of the development, whichever is the sooner.  
Details shall include:

- 1) an updated metric to align with the proposed soft landscaping and/or enhancement measures.
- 2) a scheme of biodiversity enhancement measures (other than soft landscaping)
- 3) a scaled plan showing all soft landscaping including trees and plants to be planted; detailing sizes and numbers/densities of all proposed trees/plants, to include fruit trees to encourage foraging, all with the aim of enhancing biodiversity;

Reason: Required to secure a net gain in biodiversity in accordance with policy CLP16 of the Adopted Local Plan.

9. A Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development. The LEMP shall cover all retained and created habitats within the red and blue edged land, based on the updated Biodiversity metric calculation and landscaping of the site to be agreed under condition 8 above. The content of the LEMP shall include the following;
  - a) Description and evaluation of features to be managed;
  - b) Ecological trends and constraints on site that might influence management;
  - c) Aims and objectives of management;
  - d) Appropriate management options for achieving aims and objectives;
  - e) Prescriptions for management actions;
  - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a thirty-year period);
  - g) Details of the body or organization responsible for implementation of the plan;
  - h) Ongoing monitoring and remedial measures,
  - i) Details of the company to be set up to manage the any private highways areas and the landscaped areas of the site in perpetuity,
 The LEMP 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 LEMP 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

10. Prior to the commencement of development potential ground condition matters shall be further investigated in line with the recommendations of the Phase II Interpretive Ground Investigation report dated May 2023 ref: P22-214 Rev P\_02 22214-RL-23-00-RP-O-4002, which recommended:
- submission of an Earthworks Specification
  - a bore hole shall be drilled in the south eastern most site extents for confirmation that the Second Ell coal seam is absent in this locality, the results of which shall be submitted
  - A CL:AIRE approved Materials Management Plan (MMP) shall be submitted for the re-use of soils on Site
- All to be submitted to and agreed in writing by the Local Planning Authority and any further mitigations measures implemented in full.

Reason: To ensure appropriate consideration of potential below ground contamination in line with Policy CLP14 of the Adopted Local Plan.

11. Prior to the external cladding being affixed to the building details of the cladding material and its junctions to openings and eaves shall be submitted to and approved in writing. The agreed details shall be installed on the building prior to it being brought into use.

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

12. The development shall be carried out in accordance with the details shown on the submitted report, "'Drainage Strategy' 22214-RLL-23-XX-RP-C-0001 (rev P02) prepared by RLRE, dated 14/09/2023", unless otherwise agreed in writing with the Local Planning Authority.

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

13. Prior to the installation of services and lighting fixtures, a detailed lighting strategy shall be submitted to and approved in writing by the Local Planning Authority to safeguard bats, badgers and other nocturnal wildlife. The Strategy should provide details of the chosen luminaires, their locations and any mitigating features such as dimmers, PIR sensors and timers. A lux contour plan will be required to demonstrate acceptable levels of lightspill to sensitive ecological zones/features. Guidelines can be found in Guidance Note 08/18 - Bats and Artificial Lighting in the UK (BCT and ILP, 2018). Such approved measures will be implemented in full.

Reason: In the interest of protecting habitats and species throughout the construction process in accordance with Policy CLP16 of the Adopted Local Plan.

14. 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.

15. Prior to the development being brought into use details of the Electric Vehicle Charging to be provided on site shall be submitted to and agreed in writing by the Local Planning Authority and installed as agreed.

Reason: To ensure the appropriate provision for Electric Vehicle Charging is made.

16. Prior to works commencing on the proposed substation details of this structure shall be submitted to and agreed in writing by the Local Planning Authority, the substation shall be installed as agreed.

Reason: For clarity and to ensure an appropriate finished form of development in accordance with Policy CLP16 of the Adopted Local Plan.



17. Prior to the commencement of development a statement to set out how the development will mitigate climate change and seek to reduce emissions both through construction and post occupation 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 accord with the climate aims of policy CLP20 of the Adopted Local Plan.

### **Informatives:**

The Local Planning Authority have prior to the consideration of this application engaged in a positive and proactive dialogue with the applicant in order to achieve a positive outcome for the application.

#### 1.Coal Authority:

##### Ground Investigations

Under the Coal Industry Act 1994 any intrusive activities, including initial site investigation boreholes, and/or any subsequent treatment of coal mine workings/coal mine entries for ground stability purposes require the prior written permission of The Coal Authority, since such activities can have serious public health and safety implications. Failure to obtain permission to enter or disturb our property will result in the potential for court action. In the event that you are proposing to undertake such work in the Forest of Dean local authority area our permission may not be required; it is recommended that you check with us prior to commencing any works. Application forms for Coal Authority permission and further guidance can be obtained from The Coal Authority's website at:[www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property](http://www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property)

##### 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.

To check your site for coal mining features on or near to the surface the Coal Authority interactive map viewer allows you to view selected coal mining information in your browser graphically. To check a particular location either enter a post code or use your mouse to zoom in to view the surrounding area.

2. The following statement provides the justification why the Coal Authority considers that a pre-commencement condition is required in this instance:

The undertaking of intrusive site investigations, prior to the commencement of development, is considered to be necessary to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with paragraphs 183 and 184 of the National Planning Policy Framework.

3. The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Regulations approval (if relevant).

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant safety and engineering risks and exposes all parties to potential financial liabilities. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should wherever possible be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design is developed and agreed with regulatory bodies which takes into account of all the relevant safety and environmental risk factors, including gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at:

[www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries](http://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries)

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a

Coal Authority Permit for such activities is trespass, with the potential for court action.

Property-specific summary information on past, current and future coal mining activity can be obtained from: [www.groundstability.com](http://www.groundstability.com) or a similar service provider.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: [www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

4. When you carry out the work, you must not intentionally kill, injure or take a bat, or intentionally or recklessly damage, destroy or block access to any structure or place that a bat uses for shelter. These would be offences under the Wildlife and Countryside Act 1981, the Habitats Regulations 1994 and the Countryside and Rights of Way Act 2000. Planning consent for a development does not provide a defence against prosecution under European and UK wildlife protection legislation.

5. Lead Local Flood Authority:

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](mailto: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. 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.

H. 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 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.

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

J. 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.