

Case Officer: Richard Fidler

File Nos: CHE/23/00579/REM
CHE/23/00583/REM1
CHE/23/00584/REM

Committee Date: 11th March 2024

ITEM 1

CHE/23/00579/REM Approval of reserved matters (Scale and Layout) of CHE/0389/0210 for the details of the revised Phase One masterplan

CHE/23/00583/REM1 s73 variation to Reserved Matters – condition 52 (approved drawings) of CHE/0892/0496

CHE/23/00584/REM Approval of Reserved Matters pursuant to condition 7 of CHE/0892/0496

on land at The Brushes, Sheffield Road, Chesterfield for Peak Gateway Properties Ltd.

Local Plan: Green Belt

Ward: Whittington

1.0 **CONSULTATIONS**

Ward Councillors	No comments received
Unstone Parish Council	Comments received on highways and neighbour impact – see report
NE Derbyshire District Council	No comments received.
Local Highways Authority	No Highways objections – see report
Environment Agency	Comments made in relation to the solar field – see report
Lead Local Flood Authority	No comments received.
Coal Authority	In light of the information currently provided

	object.- see report
Yorkshire Water	No objection – no further comment is required relating to drainage as the overall Drainage Strategy for the development remains the same.
Chesterfield Cycle Campaign	No objections in principle but comment that local roads will be much busier making them less attractive to cycle on where there is no traffic free cycle route – see report.
Derbyshire Constabulary	Comments made in relation to site security-see report
Active Travel England	Not currently in a position to support. Makes a number of points relating to the NPPF and raises area of concerns relating to tracks and crossings conforming to LTN 1/20 and whether the provision of 160 cycle parking spaces are appropriate – see report.
CBC Economic Development	Recommend a local labour/supply chain clause is negotiated and secured via a S106 agreement or condition.
Derbyshire Wildlife Trust	Comments made in relation to habitats and safeguarding species and buffer zone for ancient woodland – see report
Dronfield Civic Society	Support the applications on grounds that current proposals have a lesser visual impact and strong emphasis on retaining and enhancing biodiversity. Have concerns about the increase in local traffic – see report
Peak District National Park Authority	Comments made regarding mitigating anticipated traffic impacts and more detailed Travel Plan prepared -see report
Representations from Site Notices/Advert/neighbour consultation letters	57 representations received from 40 different individuals together with 2 petitions – One from Cheetham Avenue residents containing 38 signatures and one from change.org containing 1121 signatures

2.0 **THE SITE**

2.1 The site is within the designated Green Belt area and comprises the former Birchall Golf Course and areas of woodland. Brierley Wood and Roughpiece Woods form part of the site and the areas to the south-west are ancient woodland and covered by Tree Preservation Orders. The woodland areas and an area extending along the Sheffield Road frontage are also designated as a local wildlife site and parts are designated as Ancient Woodland.



The extract above is from the Chesterfield Greenprint showing areas of Ancient Woodland, the Borough boundary and an oval marking the general location of the development position.

2.2 The site is bounded by the A61 to the south-west and by the Dronfield bypass to the south, by the river Drone to the south-east, by Unstone Green to the north and by Roughpiece wood to the north-west. It is part of a hilly landscape and presents significant level drops across its boundaries in excess of 100m. The site includes areas of commercial tree planting, gorse, grassland and is edged to the south-west by areas of protected woodland forming a natural buffer to the A61, and to the south-east by the woodland along the river Drone corridor.

2.3 The site was the subject of substantial opencast operations up to the 1980s and was subsequently restored to a golf course use (Birchall). Areas of protected ancient woodland on the southern

part of the site were not affected by the opencast scheme and which remain today however much of Brierley Wood was destroyed. The golf course has not been maintained for some years now.

2.4 The site was previously crossed by a number of definitive Public Rights of Way including a bridlepath (BR39) which crossed and ran within the site and which were shown on the definitive plan. There were also a considerable number of 'desire line' paths which criss crossed the site at various locations however all these routes were diverted to a perimeter route which was created around the site following a Diversion Order granted by the Secretary of State on 15th December 2015. The site has subsequently been enclosed by a new fence line and hedge planting.

2.5 The site is now served by a new roundabout access situated at the south-east A61 slip road corner of the site.



3.0 PLANNING BACKGROUND

- 3.1 Outline planning approval was granted on 17th August 1989 for the development of the 280 acre Peak Resort site for a major leisure venue under code **CHE/0389/0210**. This included a single domed structure containing hotel together with indoor and outdoor related leisure and educational facilities centred on a reconfigured golf course and lake together with 250 holiday lodges on the upper part of the site. The scheme was described as *leisure centre consisting of a dome containing hotel with indoor and outdoor related leisure and educational facilities provision of accommodation lodges and a lake*. The supporting information with the application provided a schedule of the individual components and their quantum.
- 3.2 A subsequent Reserved Matters permission was made in 1992 for the scheme under code **CHE/0892/0496** and which was not determined until 1st July 2008. This dealt with a phase 1 of the scheme and reserved further detail for subsequent approval and the scheme therefore remains valid since the original condition on the outline permission allowed the scheme to be begun (implemented) before the expiry of two years from the date of approval of the last of the reserved matters to be approved.
- 3.3 A number of formal changes have been made to the scheme over the years with amendments to the conditions in 2005 under code **CHE/0301/0164** and which resulted in a S106 agreement dated 10th August 2005 concerning:
- Highway matters to include traffic calming, pedestrian crossings on B6057 and off site highway junction improvements at Broombank Road / Sheepbridge Lane,
 - Travel planning,
 - Community Liaison Committee,
 - Operation of a Shuttle Bus service for staff in line with travel plan,
 - Routing of contractors and service vehicles to not go through Unstone Green together with use of directional signage,
 - Ecology management plan,
 - Community Liaison,

- Monitoring of highway impacts at Jordanthorpe Parkway roundabout.

This scheme also resulted in the introduction of a breaking down of the original single domed structure into a phased scheme whereby individual smaller components of the scheme could be provided. An alternative access to the site was also considered and agreed under code **CHE/09/00075/FUL** on 12th November 2009 and this resulted in the access to the site being created from a new roundabout at the junction of the A61 slip road with Sheffield Road.

- 3.4 The permission to amend the scheme granted in 2005 included the diversion of all routes crossing the site to the perimeter of the site and this was realised through SCRIF funding of £2.8m to implement the creation of the new access and s278 agreement, diversion of the footpath and bridle routes and new fencing as a way of facilitating the development. All this work has been completed.
- 3.5 Approvals for formal variation of a number of conditions were secured under permissions **CHE/14/00086/REM1; CHE/14/00087/REM1; CHE/14/00088/REM1 and CHE/14/00089/REM1** on 2nd May 2014 and separate applications for the discharge of relevant pre-commencement conditions in the various permissions had been given on 12th November 2014 to allow works to progress on site. (Codes **CHE/14/00385/DOC; CHE/14/00386/DOC; CHE/14/00387/DOC; CHE/14/00388/DOC and CHE/14/00558/DOC**).
- 3.6 Further variations of conditions were secured in 2016 under permissions **CHE/16/00317/REM1** regarding maximum length of permitted stay to allow for day visits; **CHE/16/00318/REM1** regarding relocation of car park from south of development to north; **CHE/16/00319/REM1** regarding inclusion of phase 2 apart hotel in phase 1 and **CHE/16/00320/REM1** regarding relocation of clubhouse. Non material amendment **CHE/16/00219/NMA** introduced condition 52 allowing s73 submissions to consider amended drawings.

- 3.7 The submissions included a revised Phase 1 of the development comprising of a domed visitor/arrival building, a 150-room hotel building incorporating, a 400-bed university building, a union building for accessing both the hotel and university buildings, landscaping and public realm facilities including a colonnade, new lake and amphitheatre. Phase 1 also included a clubhouse with 30 No 5* lodges located at the top of the hill to the west of the 2008 consented dome. Phases 2 and 3 of this development remained unchanged from the 2008 consented drawings, with the exception of an observation tower adjacent to the arrival dome which was proposed as part of Phase 2.
- 3.8 The agreed scheme included a domed structure arrival point on the site intended to provide a multifunctional, all-weather activity and events space to accommodate a visitor/arrival centre with transport interchange, information kiosks, ancillary retail, food & drink, assembly and event functions.
- 3.9 The agreed 150-room Hotel had a stepped 8 storey design incorporating a 360-degree glazed sky lobby, a restaurant, wellness and beauty spa facilities and other hotel amenities and which offered for a range of different visitors at a variety of price bands. As well as accommodation for tourists, the facility would have catered for local businesses and the wider public through provision of conferences and meeting facilities, weddings and events. The sky lobby at level 8 was a beacon and an exciting and exclusive destination. A 400-bed dual usage Tourist Hostel and University accommodation Building would also be occupied by students during term time, but its flexible design would allow for use as additional hotel rooms during the summer months to maximise the variety of accommodation and price ranges available across the resort as a whole. This component was seven storeys high with a stepped roof line and would include some classrooms and meeting areas.

- 3.10 The scheme also included a Union building linking the structures and which allowed for accessing both the hotel and university buildings. This would have been a crescent shaped 6 storey building creating a spatial and visual break between the university and hotel accommodation wings and which was intended as a common area with a flexible floor plan incorporating retail, restaurants, bars and cafés as well as areas for assembly, meetings and education.
- 3.11 Access to all buildings referred to above was shown to be linked via a double height colonnade overlooking a central lake and amphitheatre.
- 3.12 The phase 1 scheme also included a 30-unit Clubhouse and Lodges located at the top of the hill to the west of the 2008 consented dome where a group of lodges were previously shown. This was to be a 5* facility linked together by a funicular and containing restaurant, bar, beauty and wellness medical facility and other ancillary functions such as meeting rooms.
- 3.13 The full phase of development proposed use of 2,850 spaces for parking cars and coaches on site however initially phase 1 provided 400 permanent spaces and 400 overflow places with a number of coach and public transport spaces.
- 3.14 Application **CHE/19/00394/REM** agreed reserved matters for the development of the David Lloyd Adrenaline World (Summit) component of the site and which was granted on 16th October 2019. The scheme comprised two separate buildings including the Adventure Centre and an Open Sided Activity Canopy structure located to the north-east quadrant of the development area. Separate applications for the discharge of relevant pre-commencement conditions were given to allow works to progress on site. (Codes **CHE/20/00094/DOC** – Ecology Survey on 2nd March 2020; **CHE/20/00358/DOC** – Ground conditions on 16th July 2020 and **CHE/20/00359/DOC** – Noise survey on 20th July 2020).

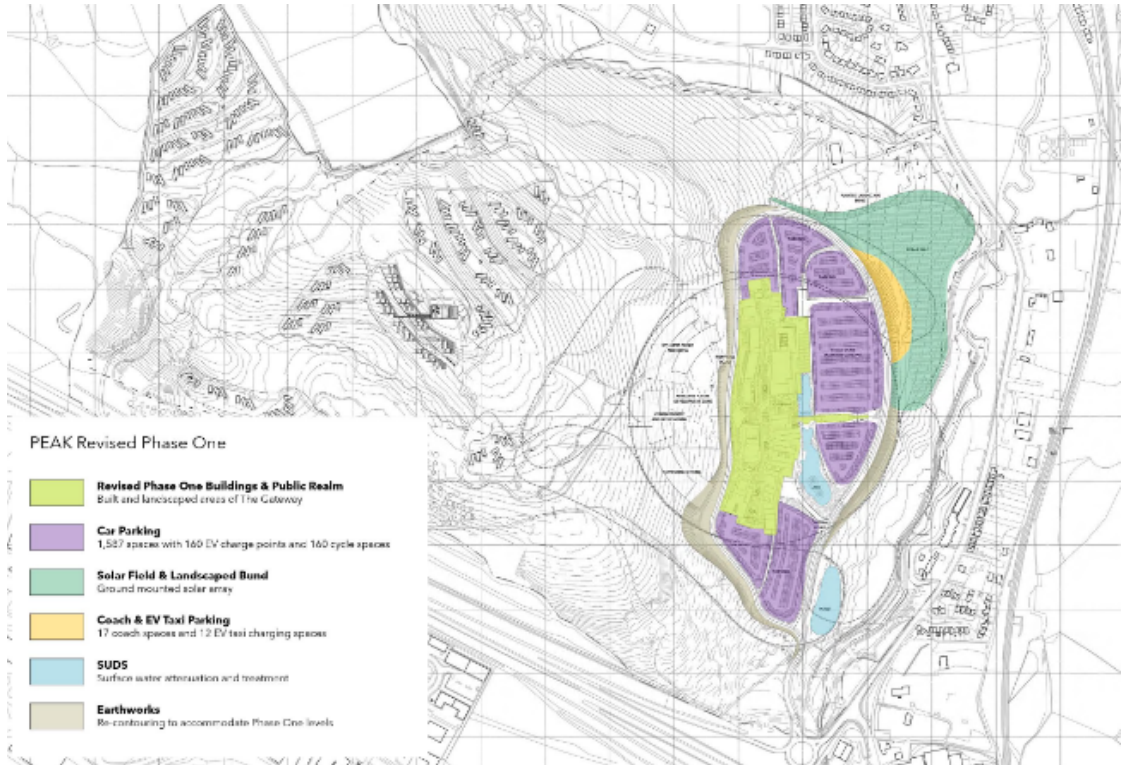
- 3.15 Application **CHE/19/00509/REM** agreed the detail of the eastern access road linking the spur of the new A61 roundabout along the east side of the site to the David Lloyd Adrenaline World (Summit) plot. The permission was dated 24th April 2020.
- 3.16 Application **CHE/19/00456/REM1** proposed a s73 submission to amend the agreed scheme to relocate the gateway building, 150 room hotel, 400 bed dual use tourist hostel and university accommodation, union building and reshaping of the central lake within the development area in order to establish a revised phasing programme and enhance the area of landscaping at the heart of the development. The changes aligned with the DLAW (Summit) scheme and the permission was granted on 16th October 2019.
- 3.17 Application **CHE/20/00188/REM1** proposed a s73 submission for the relocation of 2008 Reserved Matters Phase One Wellness, Medical Clinic, Sports Spa and Apart-Hotel facilities to an alternative location within the approved development area to also take account of the changes brought about by the approval of the DLAW (Summit) scheme. The permission was granted on 4th February 2021.
- 3.18 This application proposed the Medical Clinic, Spa and Hotel as part of the Health and Wellness component of the scheme. The scheme would be approached from the new roundabout to the south-east and which would provide access to the plot via either a new upper access road or an extension of the agreed lower access road. The access road options were to be the subject of future planning applications. The scheme would provide a car park with 176 spaces to the north edge of the built form.
- 3.19 The scheme comprised a six level built form arranged on the hillside in an arc sitting either side of a landscaped promenade. The two sides of the promenade would be linked by two walkway bridges. At lower level -1 and 00 the facility involved service areas and a number of areas of consultation, rehabilitation, treatment and spa with clinical spaces focused on diagnosis, treatments and

procedures and areas dedicated to recovery, recuperation, re-mobilisation and physiotherapy. A café area was included. Level 01 and 02 proposed hotel accommodation comprising 52 rooms designated for medical and 48 rooms designated as apart tourism hotel. Level 03 included an additional 20 tourism hotel rooms and a Brasserie and roof terrace. Level 04 included additional Brasserie accommodation with kitchens and additional roof terrace areas.

- 3.20 On 4th February 2021 a Variation of the planning obligation dated 10th August 2005 was agreed. This confirmed that the provisions of the original agreement still applied and referred to the following approvals which had been granted since the original deed:
CHE/14/00086/REM1; CHE/14/00087/REM1;
CHE/14/00088/REM1; CHE/14/00089/REM1;
CHE/16/00317/REM1; CHE/16/00318/REM1;
CHE/16/00319/REM1; CHE/16/00320/REM1;
CHE/19/00456/REM1 and CHE/20/00188/REM1.
- 3.21 Further condition compliance applications were subsequently approved on 7th September 2021. **CHE/21/00514/DOC** (Discharge of planning condition 9 (landscaping) and 21 (ground modelling) of CHE/0389/0210), **CHE/21/00515/DOC** (Discharge of planning conditions 3 (ground testing and remediation) and 13 (hard and soft landscaping) of CHE/0892/0496) and **CHE/21/00515/DOC** (Discharge of planning condition 7 (land levels, contours, hard landscaping) of CHE/19/00394/REM).
- 3.22 In addition to the 3 applications the subject of this report there are two other current applications which remain to be determined:
CHE/23/00585/DOC partial discharge of conditions 9 (Landscaping) and 21 (Ground modelling) attached to outline consent CHE/0389/0210;
CHE/23/00586/DOC partial discharge of conditions 1A (Car parking), 3A (Site investigations), 13 (Landscaping), 14 (Surface water drainage) and 23 (Sustainable energy solutions) of Reserved Matters consent CHE/0892/0496.

4.0 THE PROPOSALS

4.1 The current applications all relate to the revised Phase One Masterplan for Peak Resort. The revised masterplan for the site represents a change to the layout and design of the scheme however the scheme remains contained within the identified and agreed Circular Development Area as was the case with the previous consented development.



The development across the three applications proposes the following buildings and uses:





Revised Phase One Components - Gateway @PEAK



1. **Gateway Hotel:** a six storey building offering 165 rooms of varying sizes and configurations, with supporting facilities, catering for leisure, business and educational visitors.
2. **Travel Hub & PEAK Express Terminus:** double volume open sided domed structures. The Travel Hub provides a point of arrival and departure for the Resort and the Terminus

creates a central feature structure offering car-less access to the Peak District National Park, Chesterfield and the wider region.

3. **Horticulture Building:** a four storey terraced structure for showcasing, retail and experiences around horticulture, supported by food & beverage linked to activities and educational opportunities within the wider Resort landscape and off-site via PEAK Express services.
4. **Ultimate Outdoors:** a three level structure for showcasing the equipment and apparel to pursue almost any outdoor activity. The retail offer will be complemented by hire and try-before-you-buy services facilitating activities both within the wider Resort landscape and off-site via PEAK Express.
5. **Skills Academy & Hostel:** a three storey building providing 60 single occupancy rooms with workshop and educational rooms offering a real world learning environment for training and upskilling of PEAK's operating partners. The academy and hostel will also provide a base for vocational and recreational learning opportunities for visitors.
6. **'Village Shop' Artisan Market:** food and convenience store with covered artisan market area showcasing local producers, with flexible and 'pop-up' spaces varying with the seasons.
7. **Kit Club:** supporting the Resort's cycling school and trails as well as the transport offer, with ticketing & booking office, storage lockers for equipment, cycle hire, membership club room, showers and changing facilities.
8. **Leisure Retail:** specialist retail spaces supporting active and vocational leisure pursuits as well as brands.
9. **Food & Beverage Outlets:** F&B units including cafes, restaurants and seasonal produce shops. Specialist offers in

active nutrition and wellness as well as a craft brewery and gin distillery.

- 10. Landscaped Public Realm - the 'Seams':** taking inspiration from the former open-cast landscape, the Gateway public realm is divided into three distinct layers – Lower Seam, Middle Seam and Upper Seam. Native planting and zoning of these levels creates a natural landscape setting, forming a series of woodland glades, moorland trails, rills and nature-play zones.
- 11. Car & Cycle Parking:** 1,587 car parking spaces with 160 EV charging points and 160 cycle spaces.
- 12. Coach & EV Taxi Parking:** 17 coach parking spaces, 12 EV taxi charging and waiting bays.
- 13. Perimeter Loop Road – 'Longwall & Highwall Road':** two way road providing access from the A61 PEAK entrance to the Phase One scheme.
- 14. 'Solar Dome':** solar PV canopy covering 875 car parking spaces, providing green energy directly to the Gateway buildings and EV charging points.
- 15. Solar Field:** ground mounted solar array, supported by battery storage area, providing green energy directly to the Gateway buildings and EV charging points.
- 16. SUDS Waterbodies:** including dual purpose activity lake, providing attenuation and balancing of surface water run off across the Gateway scheme and wider PEAK landscape.
- 17. Landscaped Bund:** an earth embankment constructed from excess excavated material arising from formation of the Gateway terraced landform. Forming a landscape buffer at the

north extent of the solar field and resort road and to be finished with native planting.

- 4.2 Application **CHE/23/00579/REM** seeks the approval of reserved matters for uses permitted by the outline planning permission CHE/0389/0210. The proposed buildings and users would be contained within the agreed development areas and the areas for parking established by the 2008 Reserved Matters consent CHE/0892/0496 and which will be consistent with the parameters established.



- 4.3 The Phase one components within this application are the **Horticulture Building, Ultimate Outdoors, Village Shop – Artisan Market, Car, Coach, Cycle and Taxi Parking, Inclusion of Solar PV** as shown in the diagram above.

4.4 Horticulture Building

The proposed building would comprise four storeys of internal and external showcasing, experiential, retail and hospitality space. The building would occupy a hillside position and negotiate an external level change of +10metres. Viewed from the Upper Seam level (west facing elevation) the building would present as two storeys clad in timber. With a low asymmetrical pitched roof alongside a single storey concrete volume with roof terrace. The low pitched

roof would have a biodiverse green or sedum finish. As the building steps down the hill, the two lower levels would be expressed as a series of plinths faced in natural sandstone gabion baskets. The lowest plinth (east facing elevation) would form an external horticultural showcasing area, sheltered by open-sided timber-framed canopy structure with access to the Middle Seam Level. At the Lower Seam level the building would face the feature lake, with adjacent terrace and timber pontoon activity deck.



For the sake of clarity a garden centre, arboretum, nature conservancy course and nursery were specifically referenced as uses included in the outline consent.

4.5 Ultimate Outdoors

The proposed building would comprise three storeys of showcasing, experiential, retail and hospitality space. Like the Horticulture building the building would occupy a hillside position and negotiate an external level change of +10 metres. Viewed from the Upper Seam (west elevation) the building would present as three single storey timber volumes with low symmetrically pitched roofs. A feature weathered steel volume would act as a 'hinge' between two of the principle timber volumes, forming the main ground floor entrance with glazed atrium window. Façade treatments would be consistent with the proposed Horticulture building, incorporating locally sourced timber cladding, areas of

expressed timber frame and large glazed panels edged with weathering steel. As the building steps down the hillside, lower levels would act as earth retention structures, A single storey plinth faced in sandstone gabion baskets would support the timber frame volumes. At the Lower Seam level the building would face the feature lake, with timber activity deck facilitating access to the water offering opportunities to try out fishing equipment, wet suits, paddleboards, kayaks, canoes and model boats. The inclusion of equipment and apparel retail, and try-before-your-buy experiences, would facilitate visitor access to a wide range of on and off site activities.



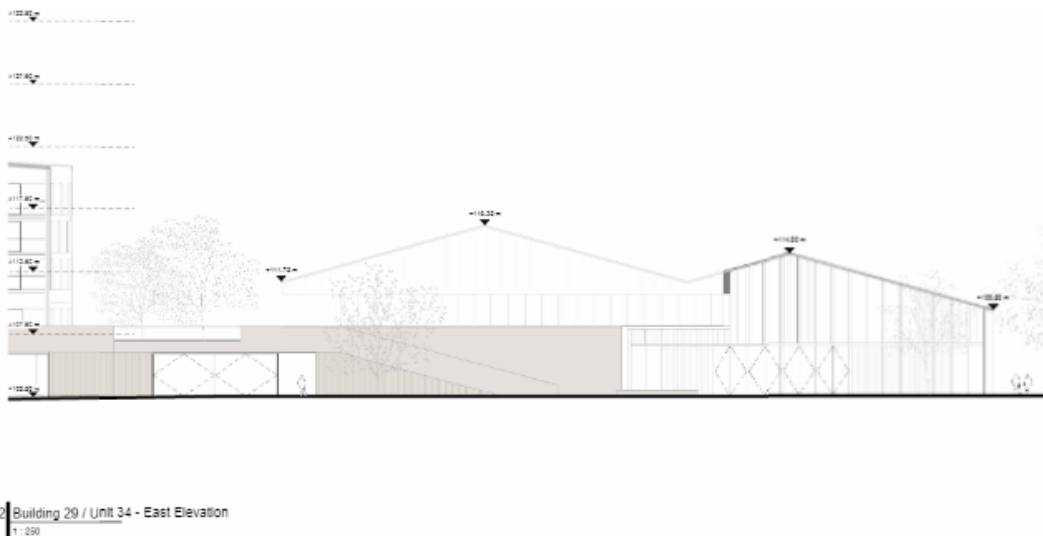
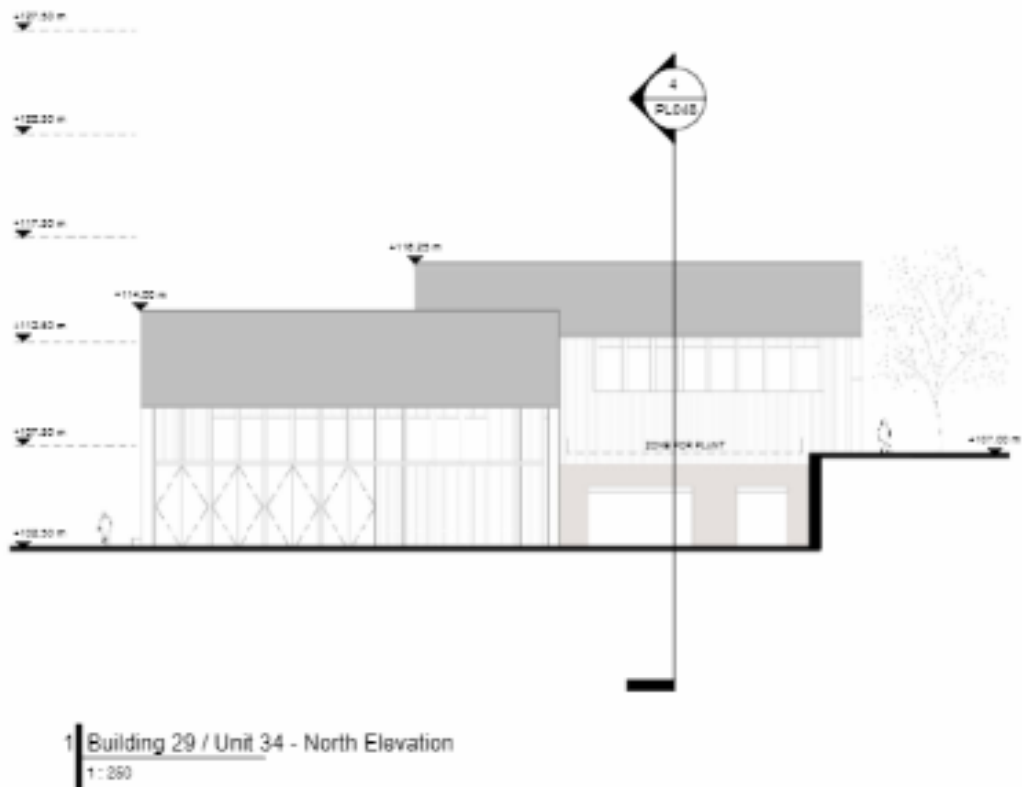
West Facing Elevation



East Facing Elevation

4.6 Village Shop – Artisan Market

The proposal is for a food and convenience component with covered artisan market area intended to showcase local producers together with flexible and ‘pop-up’ spaces. “The Village and Shopping” were included within the uses of the outline permission.



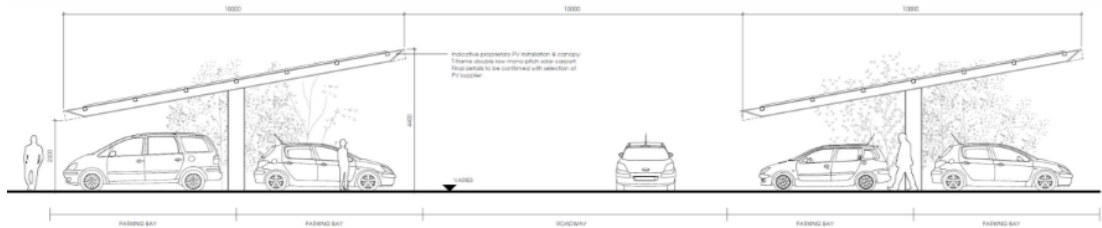
4.7

Car, Coach, Cycle and Taxi Parking

The elements proposed: are 1,587 car parking spaces within 7 car parks distributed around the scheme, including 160 EV charging points (within car parks 4 and 5); 160 cycle spaces (140 in car park 4 then 2 x 10 spaces in car park 7); 17 coach parking spaces and 12 EV taxi charging spaces, supported by a driver amenity block.

4.8 Solar PV

There are two elements to this. The first is described as a ‘solar dome’ PV canopy which would cover 875 of the car parking spaces and provide energy to the EV charge points and buildings. The indicative canopy is shown below with a double row of mono-pitch solar car port covers which would be 4.4 metres high at the highest point and 2.2 metres high at the lower side.



- 4.9 The proposed solar field would be located on the former landfill area of the site and cover an area of 28,868sqm. The arrays as shown below would at the highest point be 1.75m high dropping to 0.8m. There would be a 5m wide path between the arrays and there would be a planted landscape bund around the northern edge of the solar field which would range from 2.833 metres high at its western end up to 4.268 metres at its eastern end.



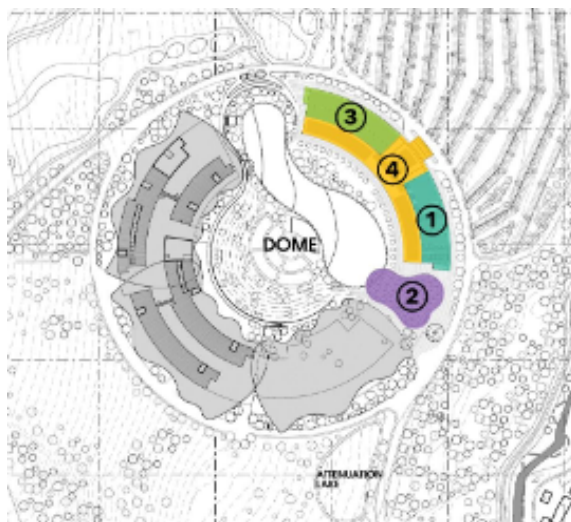
Solar Dome and Solar Field Sections

- 4.10 The proposed solar dome and solar field are forecast to generate 6,000MWh of electricity which is indicated to be sufficient to power the proposed EV charging points and all the building requirements.
- 4.11 Application **CHE/23/00583/REM1** seeks a S73 variation to Reserved Matters – condition 52 (approved drawings) of CHE/0892/0496 in order to vary the arrangement and location of approved components within consented development areas. This takes account of the current proposals. Reserved Matters consent CHE/0892/0496 (2008) has previously been varied by Section 73 applications CHE/16/00317/REM1, CHE16/00318/REM1, CHE16/00319/REM1 and CHE/16/00320/REM1 (2016) and

CHE/19/00456/REM1 (2019). This application seeks to reconfigure components and uses of the masterplan consented in 2016 as the 2019 variation is no longer considered as part of the proposal given the intention not to develop the DLAW (Summit) component of the scheme as approved.



Revised Phase One Masterplan - Section 73 Components of the Gateway



2016 masterplan



current scheme

	2016 Masterplan Component	GEA (m ²)	Resulting Revised Phase One Masterplan Component	GEA (m ²)
1	Hotel	11,031	Gateway Hotel	8,106.1
2	Dome Building	2,156	PEAK Express & Travel Hub Canopies	993.9
3	University Building	12,349	Green Skills Academy & Hostel	4,098.2
4	Union	15,815	PEAK Express & Travel Hub Customer Services	106.2
			Apparel, Equipment & Leisure Retail	4,788.4
			Food & Beverage Units	2,284.9
			Kit Club	498.9
			Plant, Circulation, Management & Services	3,836.4
	Total GEA	41,351		24,713

4.12

Hotel

The proposed six storey hotel with 165 rooms would consist of three accommodation volumes connected by glazed links, accessible from both the Upper Seam and Highwall Road levels. Each would be stepped in height with a single-sloping roof with the southern volume incorporating a roof terrace on the third floor. The hotel would include a primary entrance and discrete vehicle drop off on Highwall Road (Upper Ground Floor) and includes a secondary entrance and connecting core at the Upper Seam (Ground Floor). The ground floor would provide a range of ancillary facilities including hospitality spaces. Retail units, common and meeting areas. The hotel façade would be expressed as a series of weathering steel clad vertical planes. The entrance level would adopt a more open glazed and stepped composition to suit the internal common areas and ancillary functions.



East Facing Elevation

4.13

Green Skills Academy and Hostel

This application seeks to partially relocate the educational use and 60 hostel rooms from the 2016 University building. The balance of the 2016 building would be relocated into a future development area by way of a further separate application. This would be a three storey building with 60 single occupancy rooms with workshop and educational rooms. At Upper Seam level, it would be in the form of a two storey light timber structure with extensive glazing and biodiverse green roof. The materials would be variable timber cladding widths, with recessed glazing at ground floor level edged with weathering steel with upper level glazing vertically framed by lengths of timber frame. From the Highwall Road, the proposed building would present as single storey with a low pitched asymmetrical roof. The ground floor would provide flexible layouts for educational uses with 44 hostel rooms at the upper ground floor level with an additional 16 rooms separated by terraces at mezzanine level.



The skills academy will skill, re-skill and upskill the staff that will be employed by PEAK Resort's operating partners and involves both further education and higher education partners to provision appropriate vocational courses.

4.14 Leisure Retail, Food & Beverage, Customer Services, Energy Centre

These uses in the 2016 consent were in a single span form. The current application seeks to provide: specialist retail spaces, supporting active and vocational leisure pursuits, including local and international brands; F&B units including cafes, restaurants and seasonal produce shops, specialist offers in active nutrition and wellness as well as a craft brewery and gin distillery; kit club supporting the Resort's cycling school and trails as well as the transport offer, with ticketing and booking office, storage lockers for equipment, cycle hire, membership club room, showers and changing facilities.

4.15 In keeping with the 2008 Reserved Matters consent (CHE/0892/0496), the proposed retail uses would be ancillary to Resort activities.

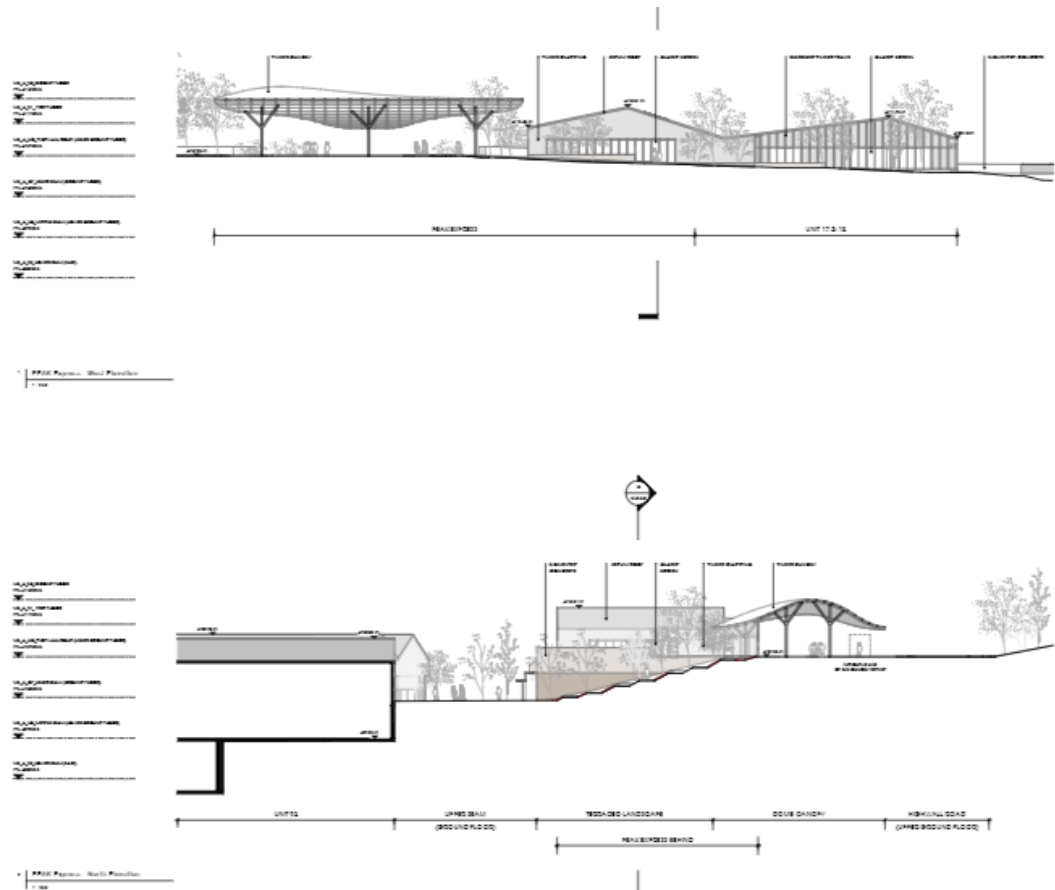
4.16 PEAK Express Terminus & Travel Hub

The 2016 agreed scheme included an arrival building which included a transport interchange. This element of the current scheme proposes two all-weather arrival and departure hubs for PEAK transport services:

-Travel Hub this would be located on the eastern side (Longwall Road) of the development, within the Solar Dome car park, This would be the dedicated drop off and pick up point for taxis, tour coaches, ride-sharing visitors and shuttle buses.

-PEAK Express Terminus would be located on the western side (Highwall Road) of the development. This would be the dedicated arrival and departure point for liveried PEAK Express zero-carbon bus and minibus services into the National Park.

4.17 It is intended that departing PEAK Express bus, minibus and taxi services will connect visitors to the Peak District National Park and wider region. Arriving visitors would radiate east/west from the all-weather dome canopies, through the landscaped public realm accessing the hotel, cycle hire and kit club facilities for outdoor activities, skills academy, food and beverage units and retail spaces.



- 4.18 Application **CHE/23/00584/REM** seeks the Approval of Reserved Matters pursuant to condition 7 of the 2008 Reserved Matters consent CHE/0892/0496. This condition states:
“The consent hereby approved does not extend to the access routes within the site indicated on PL_011, dated June 2007. Prior to commencement of the development revised plans shall be submitted to the Local Planning Authority showing access routes within the site reconfigured and rationalised.”
- 4.19 This application proposes a 1,579 metres long and 6 metres wide two-way loop road (**Longwall & Highwall Road**) providing access from the A61 roundabout and access road spur, which was constructed in 2018 to facilitate delivery of the proposed revised Phase One masterplan. It would be drained by a 3.4m wide grassed swale along its length with a single 2m wide footway on the inside edge of the loop road. The proposed road route is contained within permitted development areas established by the

2008 Reserved Matters consent CHE/0892/0496 and is a replacement for that agreed under CHE/19/00509/REM.



52: Revised Phase One Masterplan - Loop Road

- 4.20 The road would be constructed to an adoptable standard but the intention is for it to remain privately managed and maintained. It is intended that visitor cars would flow both clockwise (Highway Road) and anti-clockwise (Longwall Road) distributing traffic to all car parking areas. Arriving coaches and PEAK Express bus services would be directed anti-clockwise via the Longwall Road to dedicated drop off points and the PEAK Express Terminus, ensuring passengers align on the correct side of the road. Coaches would then be directed to the dedicated parking area to the east of the Longwall Road. Taxis would be directed via the Longwall Road to the Travel Hub, a dedicated drop off, waiting and pick up point for taxi services. A dedicated drop off and collection point would be provided at the hotel. Crossing points are proposed to provide safe access for arriving cyclist and pedestrians.
- 4.21 The applications are accompanied by the following supporting documents and reports:
-Application Document

- Design & Access Statement
- Baseline BNG Assessment
- BNG Metric 4.0
- Ecological Impact Assessment
- Energy & Sustainability Statement
- Generated Traffic Assessment & Movement Strategy
- Outline Energy Strategy
- Stage 2 Landscape Report
- Sustainable Drainage Strategy
- Visual Impact Assessment Addendum
- Phase 1 Geotechnical – Site Investigation – Report
- Phase 2 Geotechnical – Site Investigation – Report
- Geotechnical – Site Investigation – Factual Report

5.0 **PLANNING POLICY**

5.1 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)
- CLP6 Economic Growth
- CLP7 Tourism and the Visitor Economy
- CLP11 Infrastructure Delivery
- CLP12 Renewable Energy
- CLP13 Managing the Water Cycle
- CLP14 A Healthy Environment
- CLP15 Green Infrastructure
- CLP16 Biodiversity, Geodiversity and the Ecological Network
- CLP17 Open Space, Play Provision, Sports Facilities and Allotments

CLP20 Design
CLP22 Influencing the Demand for Travel

5.3

National Planning Policy Framework

Part 2. Achieving sustainable development

Part 4. Decision-making

Part 8. Promoting healthy and safe communities

Part 9. Promoting sustainable transport

Part 11. Making effective use of land

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

6.0

CONSIDERATIONS

6.1

Key Issues

- Principle of the development;
- Design/Appearance and Visual Impact;
- Impact on neighbouring residential amenity;
- Highways Safety and Parking Provision;
- Biodiversity and Ecology;
- Drainage & Flood Risk;
- Land stability;
- Designing Out Crime.
- Climate Change

6.2

Principle of Development

6.2.1

The Peak Resort scheme is a priority for the Council in that it has the benefit of planning approval and which has been previously agreed and justified within the Green Belt area. This decision was agreed by the Secretary of State at the time as an appropriate development of more than local significance within the Green Belt area and which would give confidence in investment in the Borough.

- 6.2.2 From day one the Peak Resort scheme aimed to create a year round tourism, leisure and education destination on the edge of the Peak District National Park, comprising holiday lodges, hotel with leisure / activity base facilities all set within a 300 acre managed park. The agreed DLAW (Summit) scheme is no longer part of the proposals, hence the current applications relate back to the original outline and the reserved matters approval from 2016.
- 6.2.3 The Peak Resort scheme remains a priority for the Council in terms of securing its identified priorities. Making Chesterfield a thriving borough along with improving the quality of life of local people and building a resilient Council are all key priorities for the Council and which are informed by the Council Plan for the period 2023 to 2027, a Growth Strategy for the period 2023 to 2027 and a Visitor Economy Strategy for the period 2021 to 2026. All three documents have been signed off at meetings of full Council and all three documents reference the PEAK Resort development as a priority objective / activity. For example *'we will work with partners to support the further development of the borough's visitor offer including PEAK Resort, an enhanced Crooked Spire experience and the reopening of Chesterfield Canal'* (Council Plan / Growth Strategy); and *'The development of PEAK Resort – as a major new driver of visitor demand in the borough'* (Visitor Economy Strategy).
- 6.2.4 Policy CLP7 of the adopted Chesterfield Borough Local Plan confirms that *"the Council will promote and enhance tourism development in the borough and which will be encouraged where they relate to iii) supporting delivery of the Peak Resort scheme andv) connections with the Peak District National Park.*
- 6.2.5 There is therefore a policy mandate to support the development of PEAK Resort development and in this respect the scheme has progressed and Stanton Williams Architects remain involved in designing a bespoke scheme for the site and which reflects the requirements of investors. The scheme aims to create a

destination where outstanding architecture combined with the highest quality of design achieve an iconic resort that maximises the potential of the site. The scheme aims to be exemplary in terms of sustainability from an environmental perspective and to develop successful strategies for the environment and local employment.

- 6.2.6 The scheme is planned to be constructed in phases as set out above. The works already undertaken comprising of the new access, diversion of rights of way and boundary fencing and creation of the development plateau areas have paved the way for the scheme to be progressed.
- 6.2.7 The outline permission was based on specified use types and quantum of floorspace as shown in the attached table below. The proposed uses align with the original intended vision for the site and will form a major source of long term employment for the local community. Applications CHE/23/00579/REM and CHE/23/00584/REM concern proposals which are reserved matters submissions and as such, fall within the scheme already granted and where the principle of such proposals is not an issue. Application CHE/23/00583/REM1 for change of the positioning of components already accepted in the scheme does not alter the parameters set by the existing permissions with regard to location, scale and quantum of development which all fall within what has already been assessed and granted. The proposed uses for the site satisfy the current land use policies and will form a major source of long term employment for the local community in the tourism and leisure industry, both within the resort and the wider community.

APPROXIMATE SCHEDULE OF AREAS & ESTIMATED EMPLOYMENT FIGURES

	SCHEDULE OF APPROX. AREAS		
	Acres	Hectares	M ²
Ecodome Park	283.0	114.5	1,145,000
Lake External	20.0	8.0	80,000
Lake Internal	5.0	2.0	20,000
Ecodome Area	19.5	7.9	79,000
<u>Facilities Within the Ecodome</u>			
- Hotel 2,000 Rooms			55,000
Hotel Communal Areas			25,000
- Conference/Assembly/Exhibition			5,000
Concert Hall/Theatre			3,000
- Village Shops			4,000
- Village Accommodation			4,000
Castle/Museum			1,500
- Amphitheatre			1,000
Ice Skating Rink			1,000
Olympic Pool			1,050
Tennis Courts			2,100
Squash Courts			300
- Restaurants			2,000
Multiplex Cinema			4,000
Creche			300
Playground			500
Craft Centre			600
- Health & Fitness Centre			500
Gallery			600
Aquarium			600
- Car Parking & Servicing			25,000
Plant Maintenance			8,000
Swimming			-
Beach			-
Flumes			-
- Funicular			-

6.2.8 As can be seen from the attached table the original scheme was based on a substantial single dome on the site (60 metres high and 312 metres diameter) and which accommodated a considerable development including 2000 hotel rooms, restaurants and a proposed lake which allowed for up to 20 acres of outdoor lake and 5 acres of internal or covered lake supporting an array of water based activities. The original scheme also referred to various on site activities including jungle, mountain, castle, health centre, amphitheatre, funicular, adventure playground, cinemas, theatre, creche, ancillary retail, observatory and various sporting facilities as well as external uses including garden centre, craft centre and energy centre.

6.2.9 During the construction phases, the scheme will clearly represent a significant source of employment for the local community, drawing on the local workforce and potentially putting local skills to use. Once in operation, the scheme will benefit the surrounding local community by adding services and facilities and supporting local

business both during construction and in the long term with the operation of the resort.

6.2.10 As far as the Economic Development Unit comments are concerned the current application does not change the principle of the development of the site which is already established and it is not appropriate therefore to impose new requirements through a new legal agreement or condition. There is an opportunity to discuss with the developer employment, training and supply chain opportunities however this cannot be made a formal requirement of the current applications. The EDU confirms this approach would accord with the Council's Local Plan.

6.2.11 The development of the proposal falls within the existing permissions and, as a reserved matters submission, no objections arise to the principle of the scheme. Furthermore, no specific policy objections arises to the principle of relocation of the components of the phase 1 buildings already agreed on the site. The development of the revised phase one the subject of the current applications falls within the existing permissions and no objections arise to the principle of the scheme. The one element which is outside the area originally consented for development is the proposed solar field. This is proposed to be sited on the former landfill site which is unsuitable for buildings. This is an additional element which adds to the carbon neutral elements of the overall development by effectively making it self-sufficient in electricity generation terms. The impacts of this addition are considered below however such an inclusion is within the ethos of the original outline permission and the red line boundary as such it is acceptable for this element to be within the current reserved matters submission CHE/23/00579/REM.

6.3 **Design / Appearance and Visual Impact**

6.3.1 In accordance with Local Plan Policy CLP20, all new development should identify and respond positively to the character of the site and surroundings and respect the local distinctiveness of its

context. In doing so developments are expected to respect the character, form and setting of the site and surrounding area; having regard to its function, appearance, architectural style, landscaping, scale, massing, detailing, height and materials.

- 6.3.2 The National Planning Policy Framework (NPPF) sets out the Government's planning policies and how these are expected to be applied. It places emphasis on the importance of good design stating:
'The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.'
(para 131)
- 6.3.3 The outline permission was for a fully enclosed built form of 312 metres diameter and 60 metres in height. Phase 1 of the 2016 proposal reflected the area identified as Phase 1 on the 2008 reserved matters consent, occupying a "wedge" of the overall development circle on the North East side of the site. Compared to the notional scheme identified in the outline permission, the 2016 proposal for Phase 1 was much lighter in form. The buildings comprising of the Union Building, Hotel and University accommodation were broken down into three distinct volumes that did not exceed the permitted height. Similarly, the arrival Dome building was a single volume grid shell domed structure that sat within the parameters of the outline consent and the David Lloyd scheme similarly reflected the phased approach to the development of the overall site. The proposed location of the development already considered has been towards the south and east of the site, where the natural gradient of the land slopes down, ensuring that the profile of the development remains well below the ridge line of the hilltop immediately to the north and west.
- 6.3.4 The current proposals include buildings up to a height of 24m (the hotel) which is well below the 60m maximum height parameters

prescribed in the 1989 outline planning permission and below the lighter touch 33.9 metre high scheme supported in the 2008 reserved matters scheme and the height of development in the 2016 reserved matters scheme which was up to 34.5 metres high.

6.3.5 The buildings proposed have been designed within the framework of the permissions covering the site and will be smaller than the components of the scheme already accepted. The more sensitive areas of the site are on the higher ground to the west and north west however the lower buildings proposed will ensure that they are not visible from the west beyond the hill due to the landscaping and topography. Furthermore, the site is generally screened by the mature landscaping along the Sheffield Road and River Drone corridor however it is accepted that the buildings will be seen on the hillside from views further to the east on the elevated land and also elements from the southern edge of Unstone to the north. It is likely that there will be an increased prospect from closer range that this component may interrupt the skyline although this will not be significantly different when viewed from off the site. The buildings are likely to affect the more open character of this part of the site with night time effects being particularly noticed (lighting from upper windows) however compared with the original agreed scheme the effects on landscape character will be medium to low significance and which can be mitigated in closer range impacts to a degree through appropriate landscaping and quality of design.

6.3.6 Typical architecture proposed





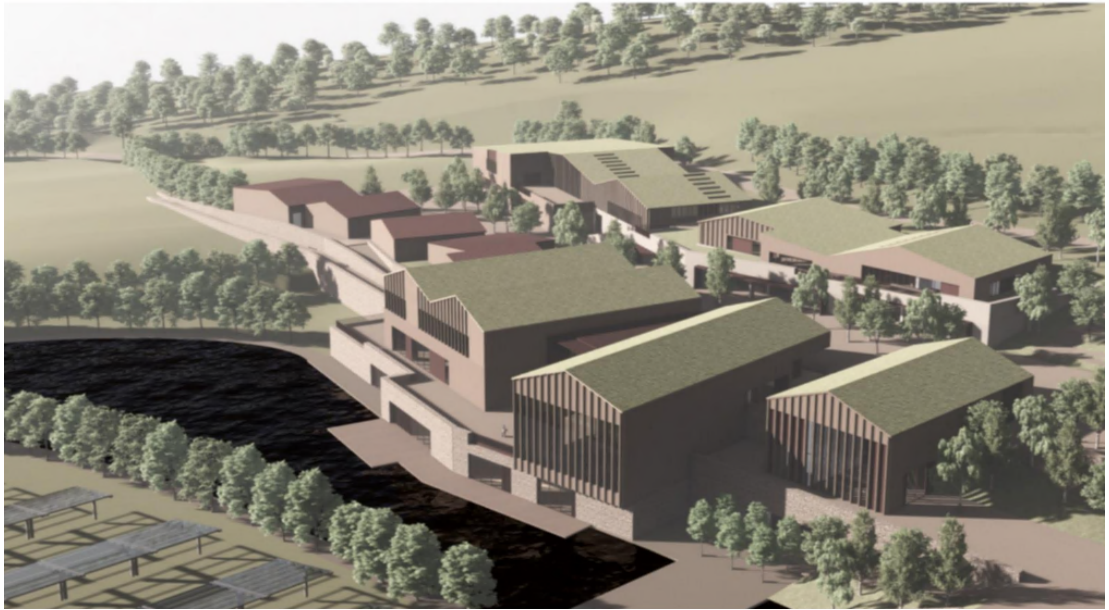
Horticulture



Green skills and hostel



Horticulture



Ultimate Outdoors



Green skills and hostel

6.3.7

The buildings are designed to reflect the industrial heritage of the site and are also influenced by modern agricultural buildings. The hotel has a distinct design and materials so that it would stand out from the other buildings on site. The buildings would use locally sourced materials in the form of sandstone and timber cladding and be designed to fit the terraced “seams” of the site. The spaces around the buildings will be put to best use by creating high quality public amenity areas with good quality landscaping and which will

add to the experience of the resort and create an opportunity for excellent public realm.

- 6.3.8 Landscape will be a crucial component of this scheme. A scheme of hard and soft landscaping has been submitted for the application area. This provides details of the native planting pallet, lighting strategy, play and art features, furniture and materials for the public realm. Planting, together with bunding will also soften foreground views and will help protect views from Unstone Green to the north.
- 6.3.9 Lighting details are covered by conditions 1 and 38 of the 2008 reserved matters scheme. A lighting plan has been submitted as part of the current applications. This indicates a range of lighting, light posts within the car parking areas, tree uplights, catenary lighting and reed solar lights. The lighting design proposes the use of energy-efficient low impact lighting as well as the placement of lights to ensure that they are not disruptive to the local flora and fauna. Dark sky friendly lighting techniques would be implemented.
- 6.3.10 An updated visual impact assessment has been undertaken for the proposed revised Phase One scheme to demonstrate the impact of landscaping and tree growth at year 1 and 15 post development. The current revised proposals represent an approximate 60% reduction on the parameters established by the 1989 Outline permission and 30% reduction in height compared to the 2016 and 2019 scheme.





22. Visual Impact Comparison. 2023 image represents post-development year 12 allowing matured landscaping

6.3.11 The solar dome and solar field would have arrays orientated east west, so with the distances to the boundaries of the site and the proposed landscaped bunding, plus further planting, in addition to the vegetation and trees which already exist, the visual impact would be minimised and it is considered there would be no discernible impact upon the nearest residential properties. It is considered that the land is ideal for inclusion of solar panels. Whilst there will be views of the solar from the perimeter footpath it is unlikely due to topography and woodland screening that the panels would be visible to anyone passing by on Sheffield Road. They are to be on the lowest part of the site tucked alongside the woodland edge and would not be generally visible other than from on the site. They make use of the former landfill site and their presence would be a reflection of the modern contemporary approach being taken to the c21 development of the site. They will face toward the south away from the Unstone direction such that any glare or reflection will not be created to the nearest residential areas.

6.3.12 It is considered that the proposals are acceptable and within the visual impact parameters of the original design for the scheme. In this respect the proposals are considered to be well designed and therefore accord with policy CLP20 and the wider requirements of the NPPF.

6.4 **Residential Amenity**

- 6.4.1 Local Plan policy CLP14 states 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'*
- 6.4.2 Local Plan policy CLP20 expects development to *'k) have an acceptable impact on the amenity of users and neighbours;'*
- 6.4.3 The nearest residential neighbours to the site are those on Cheetham Avenue, Sylvia Road and the Sheffield Road frontage to the north and those on Sheffield Road and Mallory Close to the east. The existing outline permission allowed for a 60-metre-high dome 312 metres in diameter. A first phase of buildings was considered within the dome area in 2016 and which was accepted, and which achieved considerable separation distances to the nearest dwellings and in each case intervening woodland areas generally separated the site from views from the neighbours. The relationship was accepted as being appropriate. The current Phase development proposals maintain separation distances from residential properties together with landscaped bunds and is no closer than what has already been accepted. The solar field would be set on the lower level of the site and would be shielded from the dwellings in Cheetham Avenue and Sylvia Road by a landscaped bund, with existing tree cover to Sheffield Road. As such it is considered there would be little visual impact from the introduction of the solar field element.
- 6.4.4 The closest separation distance between dwelling houses and the built form proposed are:
Cheetham Avenue – 325m to building, 150m to bund
Sylvia Road – 345m to building, 210m to bund
Sheffield Road to north – 340m to building, 105m to bund
Sheffield Road to east – 200m to building, 140m to circulatory road
Mallory Close – 270m to building, 180m to circulatory road

6.4.5 There will be visual impacts for neighbours as a result of the proposals however they would not be significant due to the separating distances involved and the intervening existing landscaping features. The impacts can be further mitigated by additional landscaping features as a part of the scheme and which will be especially appropriate in respect of the proposed car parking area and solar field. The car parking area would all be within the loop road and therefore would not extend out beyond the originally indicated parking lozenge areas and would be no closer to residents to the north of the site on Cheetham Avenue and Sylvia Road when compared with what has been accepted in 2016. Furthermore, the parking areas will only be accessed from the south via the new main site access off the new roundabout. Property to the north is largely separated from the site by a protected woodland area and river and new planting has been carried out as part of the perimeter greenway and fencing. It is considered that the relationship between the proposed parking and solar farm for the current proposed Phase One development and the nearest residential properties is acceptable, and any impacts can be mitigated by the proposed bunding and landscaping and lighting, which can be dealt with by condition.

6.4.6 On this basis the proposals are considered to be acceptable in so far as they impact on the amenity of locals, and which satisfies policies CLP14 and CLP20 of the Local Plan.

6.5 **Highways Safety and Parking**

6.5.1 Local Plan policy CLP20 expects development to '*g) provide adequate and safe vehicle access and parking;*' and Local Plan policy CLP22 details the requirements for vehicle parking and seeks '*e) provision of opportunities for charging electric vehicles where appropriate.*'

6.5.2 The traffic impact of the proposed PEAK development was assessed within the Reserved Matters Environmental Statement 2008 supporting CHE/0892/0496 and an Addendum letter

produced by Atkins was submitted with Section 73 Applications CHE/16/00317/REM1, CHE/16/00318/REM1, CHE/16/00319/REM1 and CHE/16/00320/REM1 in 2016 in relation to reconfigured Phase One elements. Further, a Generated Traffic Assessment (ref 1209-01-GTA-001 February 2017) was produced by Inspire Design & Development Ltd in association with Derbyshire County Council Highways Development Control to facilitate implementation of CHE/09/00075/FUL regarding the A61 junction and Site access road. The current applications are supported by a Generated Traffic Assessment and Movement Strategy. Trip rates were obtained from TRICS, the national standard system of trip generation and analysis in the UK.

- 6.5.3 No variation to current approved traffic levels is proposed or requested by these applications. An updated traffic assessment has been undertaken to assess the impact of the masterplan revisions on the public highways network and A61 roundabout access. The report concludes the revised Phase One trip generation is well within consented traffic movements, with the 'worst case scenario representing 38% fewer traffic movements than previously approved. In addition, an updated movement strategy details how traffic flows will be managed and distributed on site and provides swept path analysis for larger vehicles. Visitor cars will flow both clockwise (Highwall Road) and anti-clockwise (Longwall Road) distributing traffic to all car parking areas. Car parking will be ANPR controlled, reducing the need for barriers which impede vehicle flows from the road. Sufficient stacking capacity and two-way vehicle movements would ensure traffic volumes can be managed during busy days and events.
- 6.5.4 The proposed development does not exceed the built area or number of car parking spaces (1587 compared with 2,850 previously agreed) consented in previous approvals and the proposal more than adequately caters for any impacts arising. The access roundabout and spur road constructed in 2018 was designed to serve the complete Peak Resort site development and which would be linked to the development plot by the proposed

new access road. The impact of the proposal on the safety of public highway users is likely to be relatively insignificant given the separation of the proposals and parking areas along the private road from the nearest adopted public highway.



- 6.5.5 As indicated in the submitted Movement Strategy the two-way loop road around the scheme aims to optimise the flow of Phase One multi-modal arrivals and departures. Visitor cars would flow both clockwise (Highwall Road) and anti-clockwise (Longwall Road). The car parking would be APNR controlled and car parking would be charged for, with a validation scheme for visitors.
- 6.5.6 The development will also be required to adhere to the existing site-wide conditions and parameters of planning consents CHE/389/210, CHE/301/0164, CHE/0892/0496,

CHE/09/00075/FUL, associated Travel Plan Framework and the Section 106 Agreement. This involves a requirement for Traffic Calming and Highway Works on Sheffield Road, the use of a Travel Plan and introduction of a Shuttle Bus Service. The Section 106 agreement also limits the routing for contractors and service vehicles to avoid Unstone Green and the use of appropriate Directional Signage. All access for construction and customers will be from the new roundabout to the south. There are also monitoring requirements for the Jordanthorpe Parkway roundabout for 5 years post opening of the development.

6.5.7 On the basis of the above the County Council Highway Authority has commented that as the scale of the development is reduced, it is considered that there are no grounds to object. The proposed layout is considered to be suitable to serve the facilities. The reduced floor space is predicted to reduce the number of vehicular trips generated by the site; the submitted 'Generated Traffic Assessment and Movement Strategy' assesses the predicated vehicle flows generated by the site and there are no reasons to raise issue with the findings of the report. As the application is related to the internal layout and scale of the facilities within the site, which are predicted to reduce vehicular trip rates generated by the site as a whole, there are no highway related objections. Further, the main access to and from the facilities is considered to be of an appropriate width and alignment which will allow for free flowing traffic within the site with no obvious reasons to indicate that internal congestion would impact the main access with Sheffield Road.

6.5.8 Given the scale of the proposals Active Travel England have been consulted and they responded as follows (summarised):

While it is acknowledged that opportunities to make changes are limited due to the nature of this reserved matters/discharge of condition application, there remains potential for it to make a greater contribution towards Active Travel in the interests of

encouraging and embedding sustainable patterns of travel behaviour from the outset, in line with current policy.

6.5.9 In response to ATE's comments requesting clarification whether employees would have access to secure cycle parking separate to that provided to the public, the applicant has stated secure cycle parking is to be addressed by way of pre-occupation planning conditions. This is over and above the cycle parking for visitors however the final details require input from both tenants and occupiers to the internal and external arrangement of the proposed buildings plus finalised details as to the number of staff, shift patterns etc.

6.5.9 An ambulant accessibility strategy was submitted in response to ATE's comments which confirms the hard landscaping scheme is accessible and suitable for ambulant disabled people. All pathways have been confirmed to be of sufficient width and material finish to meet inclusive design standards, subject to detail design development. The applicant wishes to address other points regarding details of crossing points and that the PEAK Express Terminus and Transport Hub confirming that are fully inclusive by way of conditions as their consultant who has confirmed that at the detailed design stage the crossings would be designed in accordance with LTN 1/20 and the PEAK Express Hub would be designed in detail to meet inclusive design standards. It is considered that it would be acceptable to impose conditions to this effect.

6.5.10 Chesterfield Cycle Campaign has been consulted and have responded as follows:

"We think the cycle storage provision and cycling access is adequate as long as the cycle routes are a minimum of 3m wide. However we are unsure if the cycle routes are planned to be tarmac or crushed stone. Tarmac (or other sealed surface) is of course preferable and resulting in less maintenance required. The development appears to have changed again in its focus, phase 1 now being a hotel and retail development incorporating a

park and ride system for the Peak District. Inevitably this will result in a large increase in vehicle traffic on roads locally. For cyclists there is the bridleway funded by public money around the site which ends in a field near Dronfield Woodhouse. The planned Unstone Green to Dronfield cycle route has never been completed by Derbyshire County Council which leaves the only continuous cycle route from the site going to Chesterfield. It would seem unlikely that visitors in great numbers will arrive by train in Chesterfield wanting to cycle to the site so presumably this will be a leisure activity from the site. If so there will need to be comprehensive publicity for visitors showing them potential routes which Cycle Chesterfield will be happy to collaborate on. The route will need upgrading and comprehensive signage which we suggest this development should fund. The application suggests that cyclists can access the Peak District from the site and while this is true in theory it will only be the most dedicated that do so in practise. We have no objections to these applications in principle but would like it recorded that local roads will be much busier making them less attractive to cycle on where there is no traffic free cycle route.”

- 6.5.11 The submitted details propose 160 cycle parking spaces, 140 and 2 sets of 10 spaces, which is considered adequate for public use. As set out above cycle parking for staff is to be the subject of a separate condition. The cycle routes are part of the wider development of the Peak Resort site and as such do not currently fall within the remit of the current applications.
- 6.5.12 It is appropriate to consider the potential for a vehicular link via the former golf course site access which could be seen as an alternative, potentially more convenient entrance/exit point. The potential impact of the use of this access has not been previously considered or modelled in transportation terms however it is clear that this access could not cater for any significant increase in traffic that it could be subjected to as an alternative entrance/exit. It is clear however that there is a clause included within the s106 agreement which limits vehicle access to the site via the A61

avoiding Unstone Green. It is clear from the application submission that no public access will be available to the proposed parking area or site from the existing former golf course access. The site is fenced to be able to control access. A gate into the Peak development site will be available for maintenance vehicles of the park only and a condition was imposed on the 2016 CHE/16/00318/REM1 planning permission to ensure that this route is not used as a public access to the parking area.

6.5.13 In so far as parking provision for the scheme the highway authority has no objection. The scheme proposes a total of 1,587 car spaces and which would all be served off the private access loop road. The current proposed parking areas are considered to be appropriate and adequate compared with what has already been agreed for parking purposes and which satisfies the requirements of policy CLP14 and CLP20 of the Local Plan.

6.5.15 A further element of the current proposals is the “PEAK Express”. There would be buildings comprising double volume open sided domed structures. The Travel Hub would provide a point of arrival and departure for the resort and the PEAK Express terminus would create a central feature structure offering car-less access to the Peak District National Park. These are intended to be in the form of EV and/or hydrogen powered buses which were trialled a few years ago. These will enable visitors to the Peak Resort to access various attractions within the National Park without the need to use private cars. The resort would in itself be a “destination” with many attractions/activities on site with the opportunity for visitors to also use the PEAK Express service to enable zero-carbon access to the Peak Park.

6.5.16 Given the potential implications for visitors to the Peak District from the Peak Resort the views of the Peak District National Park Authority were sought.

Accommodation

Developments such as the Peak Gateway Resort can help to relieve the pressure for new large hotels and serviced

accommodation within the National Park, where scope for any development is limited by National Park purposes. It also helps to share the economic benefit of visitors to the National Park to our surrounding gateway towns.

The development of additional hotel accommodation in the wider area that services visitors to the National Park would therefore be beneficial to the National Park.

Travel

A long-standing and key selling point for visitors to the Peak Gateway Resort is its location in close proximity to the Peak District National Park. The premise of the resort appears to be to provide a holiday / short-stay location with a range of on-site activities, but with easy access to the outdoor offer of the National Park.

The information provided within the various application materials would suggest that the resort is aimed at new visitors to the area; rather than current visits. This would indicate that any visits to the National Park from customers of the Peak Gateway Resort are also new, additional visits;

The information provided to accompany the applications does not offer detail on how it is anticipated that customers of the Peak Gateway Resort will behave. It is anticipated that the presence of the resort as a whole will incur a price premium above the cost of alternative local hotel accommodation. As a result, customers may wish to stay on site to make full use of the available facilities.

However, marketing the site as the Peak Gateway Resort will mean that it is likely to be used as a base from which to explore the National Park.

Given the current predominance of car-borne visitor journeys to the Peak District, the preference would be for any journeys originating from the Peak Gateway Resort to be made by non-car means. This could be by traditional public transport, the 'Peak Express' or by cycling / e-bike.

The initial focus should be on measures to encourage customers of the site to arrive initially by sustainable means. However, the National Park Authority would be particularly interested in measures to ensure that, onwards travel from the site will be made by traditional public transport, the 'Peak Express' or by cycling / e-bike. There are a range of options that could be used to encourage this, ranging from discounted entry to other Peak District visitor attractions, through to discounted accommodation or free transfers for those customers arriving at the Peak Gateway Resort by bus or train. Such approaches would reduce the operational carbon

footprint of the Peak Gateway Resort and also its impact on local amenity.

Recommendation for mitigating anticipated traffic impacts

*The Transport Assessment provided to accompany the applications includes a Chapter on 'Travel Plan Mitigation Measures' and 'Movement Strategy'. However, the former is quite short and the latter doesn't include any firm proposals. Whilst accepting that the applications relate to changes in detail for outline approvals, there is a distinct lack of information about what measures may or may not be available to deliver a Travel Plan for the resort. **As more detail is brought forward and the various elements undergo further consultation, we would wish to see a more detailed Travel Plan prepared.***

- 6.5.17 The scheme is tied into the delivery of a sustainable travel plan which is part of the s106 agreement in place. The scheme proposes ev charging points and cycle parking at an appropriate rate and the operation of a shuttle bus for employees with additional cycle secure parking opportunity. The operation of the Peak Express utilising hydrogen and/or electric buses is part of the offer from the site and which would be part of delivery of a sustainable solution available to those wishing to explore the Peak District National Park from the site. There is an obligation for the developer to refine the detail regarding the travel plan as and when operators for the site are determined and which will need to be agreed by the Council.
- 6.5.18 Access to the site would be via the roundabout to the A61, which was provided specifically to serve this development. There are no objections to the proposals from the highway authority. Vehicle generation has been demonstrated to less when compared to earlier schemes plus the level of car parking is considered sufficient to meet the needs of the proposals. Other elements as set out above are subject to the clauses of the Section 106 agreement and existing conditions or though the imposition of further planning conditions.

6.6 **Ecology**

- 6.6.1 Local Plan policy CLP16 states that *'The council will expect development proposals to:*
- *avoid or minimise adverse impacts on biodiversity and geodiversity; and*
 - *provide a net measurable gain in biodiversity'*
- 6.6.2 The NPPF also requires net gains in biodiversity (see paragraph 180d).
- 6.6.3 The site is undergoing a re-naturalisation process following reclamation from open casting and closure of the former golf course. The consented development areas forming a series of platforms were cleared during the approved enabling works in 2015. Outside of these areas, the site is set aside for nature and is managed by grazing and which has resulted in the development of a habitat patchwork including mixed woodland, grassland and river corridor. Policy CLP15 and CLP16 (Green Infrastructure and Biodiversity) recognises Chesterfield's green infrastructure at all levels of the planning process and the aim of protecting and enhancing the network.
- 6.6.4 There is already a requirement to undertake ecological survey as part of the development of the wider site and the reserved matters already agreed. Full Ecological Surveys were undertaken in 2008 by Ecology Solutions and which provided a baseline data for the site. Additional reports addressing specific parts of the site have been submitted in recent years for approval during discharge of various pre-commencement conditions and prior to the works commencing in the respective parts of the site. This has included addendum surveys in 2014 concerning Nesting Birds, Water Voles, Invertebrates, Badgers, Ornithology, Reptiles, Trees and which were supported by a Construction Method Statement. An Extended Phase One Habitat Survey, Tree Survey Report and Habitat Creation report were also prepared in 2014. A Willow Tit Survey was undertaken in 2015 to address a particular component area of the site, a Specific Arboricultural Method Statement in 2016, and Ecological Clerk of Works Reports were provided in September

2016 and December 2016 and which have been updated in connection with the David Lloyd scheme and the lower access road proposals in 2019. Further confidential survey and reports were prepared regarding Badgers involving Natural England in connection with the roundabout and access spur construction.

6.6.5 The current applications are accompanied by an updated Ecological Impact Assessment by In:Spire Nature dated August 2023 and which has been undertaken for the application area and wider Central Permitted Development Areas with mapping to UKHab V1.1. The study considered protected and key species including badger and which remains confidential. The assessment states that the results and recommendations are valid for up to two years from the survey date and it would be necessary to update and re-do surveys should the development not commence within 2 the two years and this can be secured by condition.

6.6.6 A baseline BNG Assessment has been completed for the same areas using DEFRA Metric 4.0 and which suggests that to achieve 10% net gain for the site across all unit types additional units must be created through retention of habitat, enhancement of retained habitats, and creation of off-site habitats. The applicant intends to deliver the 10% gain on site.

Unit Type	Target	Site Baseline Units	Units Required to deliver 10% gain
Habitat units	10%	165.22	181.74
Hedgerow units	10%	1.87	2.06
Watercourse units	10%	4.02	4.42

6.6.7 Derbyshire Wildlife Trust welcome the reduced footprint compared to the previous outline and reserved matters approvals. They go on to comment:

Habitats and BNG

Phase 1 is located in the largely unwooded eastern part of the wider site, dominated by grassland and scrub. The boundary overlaps with the edges of broadleaved woodland along the River Drone to the east and is located close to ancient woodland within Brierley and Roughpiece Woods Local Wildlife Site (LWS). Habitats have been surveyed in detail at an appropriate time of year.

An area previously proposed for parking within the footprint of the woodland along the River Drone is now removed from the built footprint, which is welcomed. However, we advise that a 15 m buffer zone should be maintained between the built-development footprint and the ancient woodland within Brierley and Roughpiece Woods LWS, as per Natural England Standing Advice (See Section 5.2 of the EclA).

The EclA states the intention to achieve no net loss of biodiversity and a net gain where possible. Currently a BNG Assessment report has been produced assessing the baseline of the site and the wider area (extent of previous permission), with recommendations for the total number of units required to achieve a 10 % net gain. The accompanying metric (V4.0) has also been submitted.

At the time of this report, it seems that the proposals were not available to the consultants and therefore the actual losses or gains are not calculated. We advise that based on the available information, the post-development figures could now be added to enable the calculations to be made. We would add that offsite habitat creation and enhancement could be carried out across the extent of the entire Peak Resort site, not just within the area of the previous permission.

Protected Species

The closest record of great crested newts (GCN) is of 6x GCN from 2011 on the opposite side of Sheffield Road (B6057) to Peak Resort. The road is likely to comprise a major barrier to dispersal. Habitat suitability assessment for was undertaken for eight ponds within 500 m, with further testing for GCN eDNA. All tested ponds returned a negative result. We are aware of four ponds that have been created to the west of the wider Peak Resort site, created as

part of the District Level Licensing (DLL) initiative, with at least two others created by the same landowner. The DLL ponds returned negative results for GCN eDNA in 2023. Whilst terrestrial and aquatic habitats within the Peak Resort site are suitable for GCN, presence has not been evidenced. New waterbodies within the Phase 1 proposals are unlikely to be suitable for GCN given their location in built-up surroundings, however there is scope for wildlife ponds and suitable terrestrial habitat within the wider site proposals.

Habitats within the application area are suitable for reptiles, however previous survey work and existing records indicate no more than low numbers. Habitats within Phase 1 will be largely unsuitable for reptiles due to their built-up nature but the wider site is likely to retain swathes of habitat. It is important that areas of grassland, woodland rides and scrub are incorporated within the wider scheme. The EclA proposed the creation of hibernacula and log piles as part of Phase 1 works. This is likely to be at the woodland edges of the site or elsewhere in the wider site.

Proposals will result in a built-up area in close proximity to the River Drone corridor in the east of the site and other ancient woodland in the west. It is important that sufficient buffers are provided to the ancient woodland (Natural England Standing Advice is 15 m) and that lighting is designed to avoid lightspill to these habitats to safeguard foraging and commuting bats. The opportunity should be taken to create a bat box scheme across the whole site within retained woodlands. Boxes should also be incorporated within the proposed buildings.

Loss of scrub and woodland will reduce habitat for a range of breeding birds and the loss of rough grassland will impact a small number of ground-nesting species such as skylark. Willow tit were previously recorded in the wet woodland along the River Drone. The majority of woodland habitat will be retained. Proposals should be ambitious in terms of incorporating bird nesting features within the built environment and we welcome the proposal to enter the eastern woodland into a management plan, particularly focussed on willow tit. A bird box scheme could also be set up across the Peak Resort site.

Habitats within the application area for Phase 1 are suitable for hedgehog and brown hare. As with other species, the Phase 1 development is unlikely to be suitable for such species but opportunities exist within the wider site to retain habitat for these and other more common mammals. Reasonable Avoidance Measures should be employed during site clearance to safeguard a range of species.

To conclude,

We advise that the BNG metric is completed to evidence a net gain, in line with local and national planning policy. Protected species can be largely safeguarded via conditions.

- 6.6.6 It is considered that the imposition of conditions would be appropriate to ensure the Biodiversity net gain required together with other mitigation measures to satisfy policy compliance.

6.7 **Drainage & Flood Risk**

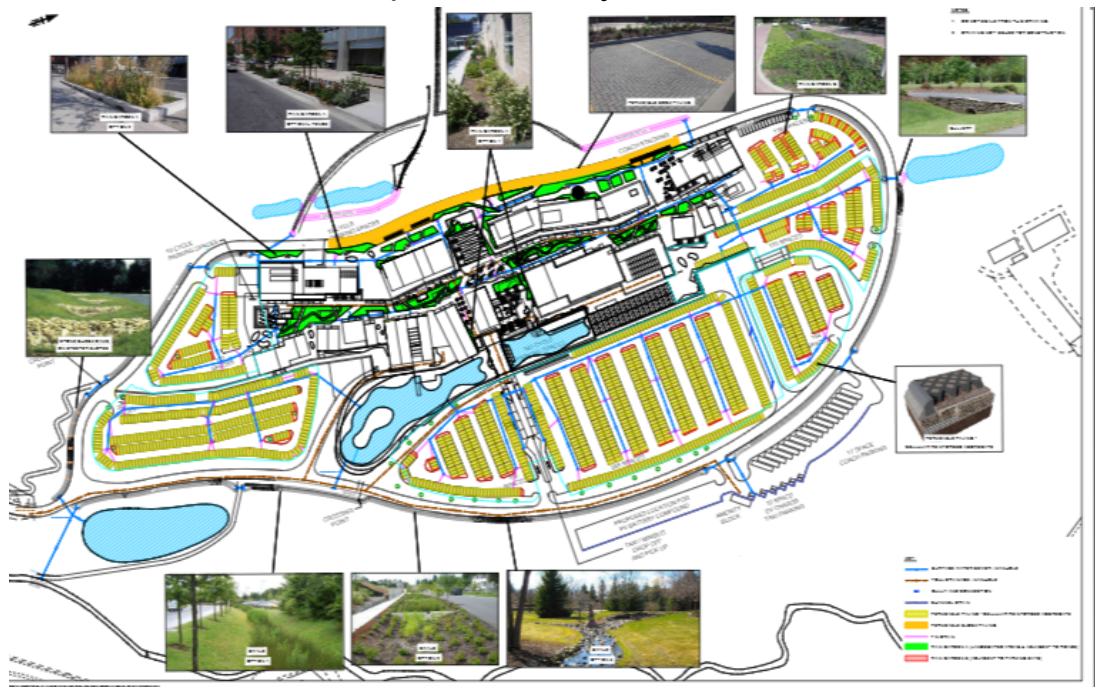
- 6.7.1 Local Plan policy CLP13 states that *'The council will require flood risk to be managed for all development commensurate with the scale and impact of the proposed development so that developments are made safe for their lifetime without increasing flood risk elsewhere.*

Development proposals and site allocations will:

- a) be directed to locations with the lowest probability of flooding as required by the flood risk sequential test;*
- b) be directed to locations with the lowest impact on water resources;*
- c) be assessed for their contribution to reducing overall flood risk, taking into account climate change.*

- 6.7.2 The site is shown to be in Flood Zone 1 which is land not at risk of fluvial flooding. The existing permissions already include conditions concerning the drainage strategy for the site and how surface water is to be managed. The current applications are accompanied by a Drainage Strategy by Inspire Design and Development Ltd which has been developed based on the greenfield run off rate,

sufficient to cater for 1 in 100 year rainfall events with a 40% climate change allowance in accordance with latest Environmental Agency guidance. The 2008 scheme proposed the discharge of surface water to the River Drone along with on site SUDs attenuation. The proposed surface water drainage system will collect runoff from the car parks, road, service yards and main built area and discharge to the River Drone. Water will be stored on site in attenuation ponds and other SUDs features, including rain gardens, green roofs and swales and to achieve the 40% betterment in green field run off rate the calculation indicates a storage volume of 9,121 cu m is necessary during the 1 in 100 year event. The storage ponds and swales proposed will be sufficient to cater for this. The remaining untouched land and soft landscaping areas will offer bioretention through shallow infiltration into the topsoil and evapotranspiration of the vegetation. A whole estate SUDs plan shows how the existing land drains will be incorporated into the Phase One development. The solution will include permeable paving, swales, rain gardens, channel and fin drains and attenuation ponds with hydrobrakes.



6.7.3

A new foul sewer is proposed to serve the main development on the site. This will connect into the foul sewer to run down the new site access road, and which was installed as part of the initial infrastructure in 2018.

- 6.7.4 Yorkshire Water are satisfied with the drainage strategy.
- 6.7.5 With regard to flood risk the whole of the Peak Resort site is within Flood Zone 1 apart from the area of the proposed solar field. The Environment Agency object on the basis that a flood risk assessment is required due to the size of the area. The site is in close proximity to an area defined as a flood storage area and climate change should be accounted for in any flood risk assessment. Given the time that has elapsed since the previous applications it is likely the Environment Agency has more up to date modelling that can be used to interpret the flood risk at the development site.
- 6.7.6 In response to the EA the applicant's consultant stated:
"Flood Risk was addressed previously in the 2008 ES prepared by Atkins, and the principle of development was therefore established. There should be no need to repeat the FRA process as we have complied with the conditions of the outline permission in preparing a drainage strategy in accordance with sustainable drainage principles."
- 6.7.7 Surface water and foul water drainage has been adequately addressed in relation to the main development area. It is considered that the solar field requires some further detail both in terms of safeguarding from flood risk and surface water drainage given the ground conditions, and potential for increased run off from the solar arrays. It is considered that such detail can be secured and agreed by condition of any approval.

6.8 **Land Stability**

- 6.8.1 Local Plan Policy CLP14 states that *'Unstable and Contaminated Land*
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 and shall include:

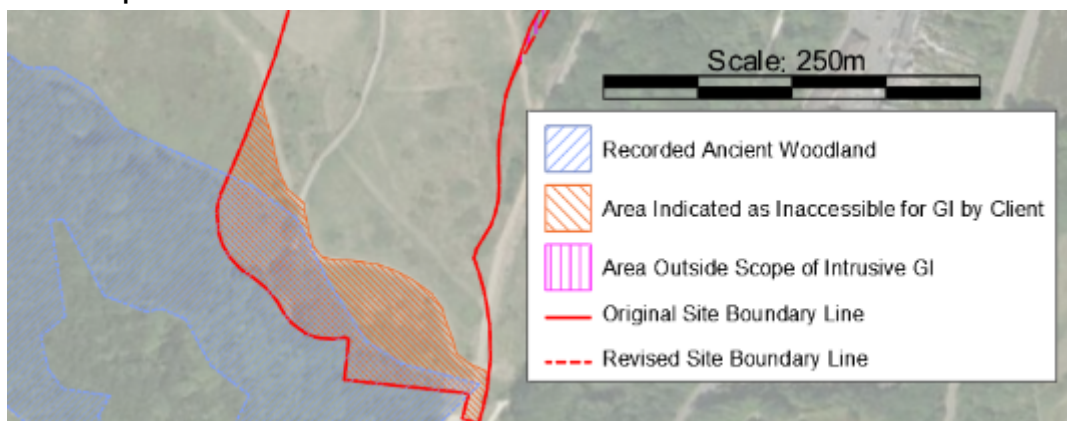
- a) a phase I land contamination report, including where necessary a land stability risk assessment with the planning application; and*
- b) a phase II land contamination report where the phase I report under (a) indicates it is necessary, and*
- c) a strategy for any necessary mitigation and/or remediation and final validation.*

A programme of mitigation, remediation and validation must be agreed before the implementation of any planning permission on contaminated and/or unstable land. The requirement to undertake this programme will be secured using planning conditions.

- 6.8.2 Paragraph 189 of the NPPF states that *‘Planning policies and decisions should ensure that:*
- a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation);*
 - b) after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and*
 - c) adequate site investigation information, prepared by a competent person, is available to inform these assessments.’*
- 6.8.3 The existing reserved matters permissions already include condition 3 concerning the necessity to ensure the stability of the site is safeguarded and the site is appropriately remediated from any contamination which may exist.
- 6.8.4 It is necessary for the development to properly take account of the ground conditions.
- 6.8.5 The Coal Authority had no concerns to previous applications on the basis that the site was opencast in the 1960s thereby removing any shallow coal which may have previously existed. In relation to

the current applications the Coal Authority have reviewed the submitted Phase 1 and Phase II Geotechnical and Geoenvironmental Assessments and the Factual Report on Site Investigations which include a Coal Mining Risk Assessment. This report states that investigatory works have been undertaken but not in the southern part of the site which was inaccessible and is where both recorded and probable unrecorded workings are likely. It notes that should any development activity be proposed in this area, intrusive investigation would first be required. The report also notes that there are numerous mine entries located in the southernmost part of the site and the full extent of the historic opencast coal mining is unknown. The Coal Authority appreciate that these submissions relate to a long standing consent and that ground conditions are likely to have been considered at previous stages. However, the current proposals are not currently supported by adequate information covering the complete site to demonstrate coal mining features do not pose an unacceptable risk to the development. The Coal Authority therefore request an updated Coal Mining Risk Assessment be submitted and plans showing the relationship of the proposed development to recorded mine entries and identify any remedial measures considered necessary.

6.8.6 The area of the site to the south which was inaccessible is shown on the plan extract below.



This area includes part of the area of ancient woodland and land adjacent to the ancient woodland where it would not be appropriate or necessary to undertake intrusive ground

investigations. The remaining small area is where the proposed road would link to the existing roadway where it would be appropriate to undertake further investigations in respect of the Coal Authority 's comments and it is considered this may be appropriately secured and be dealt with by suitably worded pre-commencement planning condition.

6.9 **Designing out Crime**

6.9.1 Derbyshire Constabulary were consulted on the applications. The main issue identified concerned the overall management of the site, both in respect of the control of movement and general security. Site security is set as an aspiration so requests that a requirement similar to condition 6 of CHE/19/00394/REM is repeated. With a significant portion of parking provided under solar panels, and considering the wider site levels, there will need to be some innovative thinking when fleshing out matters such as lighting and the efficacy of CCTV supervision.

6.9.2 The wording of the condition referred to above was:
Full details of security measures to be installed at the site shall be submitted to the local planning authority for consideration. The agreed details shall be implemented as part of the development and shall be installed and made available concurrent with the first occupation of the buildings on site.
It is considered appropriate to impose the condition again in respect of the revised Phase One proposals.

6.10 **Climate Change**

6.10.1 Policy CLP12 states that “The Council will support proposals for renewable energy generation particularly where they have wider social, economic and environmental benefits, provided that the direct and cumulative adverse impacts of the proposals on the following assets are acceptable, or can be made so:
a) the historic environment including heritage assets and their setting;

- b) natural landscape and townscape character;
- c) nature conservation;
- d) amenity – in particular through noise, dust, odour, and traffic generation.

Proposals will be expected to:

1. reduce impact on the character and appearance of the open countryside by locating distribution lines below ground where possible;
2. include provision to reinstate the site if the equipment is no longer in use or has been decommissioned;
3. incorporate measures to enhance biodiversity.

6.10.2 Policy CLP20 considers design and states that major development should as far as feasible and financially viable minimise CO₂ emissions during construction and occupation, and also maximise both the use of and the generation of renewable energy. Planning applications for major new development should be accompanied by a statement (as part of or in addition to a design and access statement) which sets out how the development would do this in terms of:

- i. following the steps in the energy hierarchy by seeking to use less energy, source energy efficiently, and make use of renewable energy before efficiently using fossil fuels from clean technologies;
- ii. optimising the efficient use of natural resources;
- iii. reducing emissions through orientation and design.

When considering the feasibility and viability of reducing emissions and also use of renewable energy in any major development, the council will take into account matters such as the development's scale and nature, its operational requirements, any site-specific constraints and also the need to meet other planning policy requirements.

6.10.3 The application is accompanied by an Energy and Sustainability Statement by Cundalls which promotes a sustainability strategy as follows:

- fabric first approach to reduce energy demand;
- maximise passive measures such as natural ventilation and daylighting;
- landscaping to provide shading;
- mechanical ventilation with heat recovery;
- LED lighting;
- Heat pumps for heating and hot water;
- Ambient loop to recycle heat between buildings;
- Control strategy to match energy demands;
- PV array generating electricity for development;
- Minimising embodied carbon in materials used;
- Sustainable Drainage System to address flood risk;
- Transport strategy to provide alternatives to petrol/diesel private cars;
- Biodiversity and use of green roofs.

6.10.4 The development seeks to reduce energy use through Passivhaus principles using high performance thermal insulation, high levels of air tightness, minimising thermal bridges and high performing windows. The scheme targets an air leakage of less than 3m³ (hr.m²) compared to the Building Regs which recommends a maximum of 10m³ (hr.m²). Heating and cooling will be centrally generated in an energy centre with heat pumps to distribute. Air source, ground source and water source heat pumps are all part of the energy strategy. PV is being used extensively in the development for the car parking roof and in the solar field and the calculations indicate that they will be able to generate a substantial amount of the energy needs of the development.

6.10.5 The approach to sustainability is aligned with the intended Peak Resort development and the local plan policy in so far as according with the recognised energy hierarchy of reducing energy demand, sourcing energy efficiently and making use of low and zero carbon technologies including renewable energy. The development will perform better than the Part L of the Building Regulations and will accord with the policies referred to above.

7.0 **REPRESENTATIONS**

7.1 Site notices were posted on 7th November 2023 and an advert was placed in the Derbyshire Times on 9th November 2023. Local residents and neighbouring landowners were notified of the applications by letters and email.

7.2 The applications have been the subject of 57 representations received from 40 different individuals raising the following matters:

7.2.1 Principle: This land has been subject to many different applications over the years and so many different projects - none of which have succeeded. Concern regards to the ever-changing project at the Brushes. It appears that this project has mostly turned into building a big car park and bus station to save the pollution from the Peak District! Destruction of Green Belt. There are many inner town / city areas that could house this project, but it is more profitable for developers to start on fresh ground. The amount of time and effort invested by the council in this now needs to have a line drawn under it and all applications be refused. This latest "idea" seems to have now gone so far from the original plans that surely a whole new application seems necessary. Peak is now conceptually and commercially a totally different proposition as stated by the Council CEO. The scheme would have a massive impact on the centre of Chesterfield. I believe no jobs have been created despite assurances over the last 30 years of thousands becoming available. Indeed many of the specialist contractors employed are not local. The architect is London based. The development is against the sustainable development goal, specifically goal 3 stopping concreting over the countryside by regenerating brownfield sites, and not green fields around Sheepbridge.
Consider a thorough EIA and a comprehensive plan to mitigate the anticipated issues should be sought.

Comment

See section 6.2 of the report. The principle of the development of the site is already established and agreed and the current applications flow from that. A major roundabout and access has been developed to provide an appropriate means of access together with diversion of the rights of way to the site perimeter with associate site enclosure. Furthermore, ground modelling has taken place in preparation for the scheme which remains a priority for the Council from an economic wellbeing point of view. The current submissions concern reserved matters submissions and consequential s73 changes to components of the scheme which have previously been agreed on the site. The reference to comments from the Council Chief Executive appear to have been misconstrued. The Chief Executive did not write that the development was a conceptually and commercially different proposition to the Gateway Building at Peak Resort in planning terms. The comment was made at a strategic commercial business /investment level. It is the case that the development proposed represents a logical evolution of the scheme but which falls within the parameters of the development which have previously been set and agreed.

7.2.2 Lack of Need: Phase 1 of the proposed development is a very large car park and bus terminus which plans to offer visitors a park and ride facility enabling them to park in Chesterfield and visit the Peak District National Park by bus. There are already bus companies providing a hop on hop off service around the Peak Park departing from Chesterfield and Sheffield. Believe that this need is already fulfilled by professional bus companies and that an entrant to the market would find it very difficult to compete. No requirement for a "park and ride" type scheme as Chesterfield is well served with buses, trains and taxis from the bus and train stations in the town. Idea of taking customers from the town centre, which is already struggling is not appropriate. Failure of phase 1 is therefore quite likely. The long history of repeated failures on this site are going to make potential investors very wary. The money would be better spent regenerating the town centre instead of

putting more countryside under bricks and mortar. There is no need for a new hotel as the Chesterfield Hotel stood empty for years. Not sure why anyone would even want to stop in a hotel next to an industrial estate. Surely if their activity plans are to utilise the Peak Park then they will simply stop in the Peak! Concern is that the development may get part built and then be left to crumble. Does the development have businesses that want to take on the units and have they made a commitment to trade in an ecological style? Has a feasibility study been done on this business model?

Comment

The development has already been accepted on this site and the submissions do not concern the principle. The point made about park and ride for Chesterfield to serve the Peak District National park area is misleading. Respondents who believe the main purpose of the car park is to provide a park and ride facility have misunderstood the proposal. This is not the case and the development is intended to bring people to the area who will visit Chesterfield and the local area thereby increasing customers in the town.

- 7.2.3 Highways: A new publicly funded roundabout with a modified slip road from the A61 has been provided. Despite this there are already traffic problems at peak times, particularly in the late afternoon when the many businesses close for the day. It is common for traffic to be queueing on the slip roads from the A61, as well as on Sheepbridge Lane, Broombank Road and Sheffield Road. If there is a problem due to a RTA, the routes around the vicinity will certainly be gridlocked. The new roundabout does not allow for the safe movement of large lorries going to Sheepbridge IE. It is a nightmare travelling anywhere near peak times and this project, if approved, would cause the whole infrastructure to collapse causing misery and danger to many road users. The road system is unable to handle any additional traffic. Any development of this type would need a complete redevelopment of the road system in the area. Huge increase in traffic of which a significant amount will be going through the small village of Unstone. A Traffic

Impact Assessment was carried out in 1995-6 and proposed a remote park and ride facility to transporting visitors from a remote car park near to the M1 junction to the Ecodome project. What is now proposed is a complete reversal.

Original plans were to have all cars parked off site some distance away with restrictions on day visitors specifically on account of the requirement to avoid excessive additional traffic movement. Plans also involved cars not being used on a daily basis, with on site transport delivered by electric shuttle carts. Recent applications have tended to considerably weaken car use/ parking limitations and we now have an application which, stripped to its bare bones is nothing more than a giant park and ride scheme.

We now live in times when most Towns and Cities are actively discouraging drivers from entering urban areas, Chesterfield needs to adopt similar principles to avoid pollution and congestion. The "hub" will transfer this noise, pollution and disturbance from the Peak Park whilst providing little in return for Unstone. Result in disturbance to the tranquility of the area near the proposed site. Obvious that the "hub" will actually create more vehicle movements rather than less. There is no requirement for a "park and ride" type scheme as Chesterfield is well served with buses, trains and taxis from the bus and train stations in the town. Concern regarding taking customers from the town centre which is already struggling. This additional traffic will lead to a) local residents wanting to avoid the build up of traffic, to rat run the country lanes/roads used by horse riders, ramblers and cyclists, via Dronfield, Barlow, Handley and Old Whittington, which will cause accidents and increase traffic on NEDDC / CBC maintained country roads. b) more delays at the roundabout at Whit Moor and slip road off at Sheepbridge which currently cannot support traffic during busy times.

The highways will not cope given the increased traffic added with the extra 500 houses just approved on Dunston Lane on green belt land just one mile from the proposed development and 400 houses proposed in Dronfield.

I live in Brimington, and when I walk down into the village I have to wait for several minutes to cross the road, the traffic is so bad, and

the pollution sticks in the back of your throat. Yet you keep allowing more and more housing developments and always on our green area's. What about the land that was Staveley Works which must be brown field land. But don't develop it till you've given us the Brimington Staveley by-pass we've been waiting for 50 years for.

Comment

Comments regarding highway safety and capacity are referred to in the report at paragraph 6.5 however it is clear the Highway Authority support the proposals on the basis of the highways information provided. It is commonplace to experience queuing traffic at peak times in locations across the Borough however this does not suggest that junctions are not able to accommodate the intended traffic flows. Whilst there will be an increase in vehicle movements (compared with the existing negligible traffic flows from the site) the traffic anticipated falls within and much lower than what has been accepted and planned for. Traffic would approach the development from the A61 via the new roundabout and the highway network and access to the site is more than capable at accommodating this. The s106 agreement includes a clause which requires the construction route and access to be from the new roundabout so that a short cut via the former golf course entrance is not formed. The agreement also precludes traffic approaching the site through Unstone Green.

The scheme was amended as part of the 2016 permission to allow for day visitors. The scheme envisages a reduction in on site parking compared with what has previously been accepted (2850 car spaces down to 1587 car spaces). Furthermore, the opportunity now arises to require electric vehicle charging points as a part of the scheme and significant cycle parking facilities.

Again the point made about parking for Chesterfield suggests that respondents believe the main purpose of the car park is to provide a park and ride facility. This is not the case and the

development is intended to bring people to the area who will visit Chesterfield thereby increasing customers in the town. The point made by the respondent in relation to air quality in Brimington is of relevance to development in Brimington where there is a designated Air Quality Management Area on the A619.

7.2.4 Parking Adequacy: No adequate provision for the parking of employees vehicles if the job figures of over 2000 are to be believed. How can these people possibly park on site without severe disruption. The movement strategy is flawed with the amount of onsite vehicular movements being unacceptable and would create an unacceptable amount of noise and air pollution. No need for 2000 parking spaces as there is ample parking in Chesterfield.

Car park if approved will be only 60 metres from my back garden and will have a very detrimental impact on our wellbeing.

Comment

Comments regarding parking capacity are considered at paragraph 6.5 of the report which sets out that there will be significantly less space than previously agreed. (2850 car spaces down to 1587 car spaces). Again the point made about parking for Chesterfield suggests that respondents believe the main purpose of the car park is to provide a park and ride facility. It is clear the Highway Authority support the proposals on the basis of the highways information provided and the impacts have been accepted.

The nearest part of the proposed car park to the nearest residential garden (separation distance) is 198 metres however the separation is 215 metres from the garden of the property from which the suggestion of 60 metres has been made (37 Cheetham Avenue). Furthermore, there is a protected woodland intervening between the Cheetham Avenue properties and the site.

7.2.5

Rights of Way: Understand the County Council has still not been prepared to accept responsibility for one of the altered rights of way and that should be rectified by PEAK before plans are considered any further. Another safety concern relates to users of the public rights of way in the vicinity of the roundabout- one of which is designated a Greenway, which carries with it suitability for wheelchair and mobility scooter users as well as pedestrians, horse riders and cyclists. Traffic light controls should be installed to allow safe passage for rights of way users over what will now be an exceedingly busy access road.

There is currently informal car parking on the stub of the site access road where it leaves the roundabout and clearly that cannot continue if development proceeds. There is an obvious demand for access to the extensive rights of way network locally and the car park that was provided near the Unstone entrance to the site should be opened to the public as a pre-condition of any further work taking place.

Comment

It is understood that there remains a minor process to finalise the diversion of the public footpath routes in the vicinity of the site access. The routes have been provided and there remains a need to confirm their precise alignment in an Order such that the routes can become the definitive routes. This is a separate matter to the determination of the current applications. The crossing of point of the access road will be completed as and when the development is carried out.

In so far as the public car park area this was the subject to a planning condition on CHE/09/00075/FUL which proposed the revised access arrangements to the site. Condition 17 required details of a replacement public car parking area to be agreed and that the agreed parking area should be provided on completion of the access route and retained available for use thereafter. The details were submitted under CHE/14/00388/DOC and which showed the new parking area off the golf course access road as a way of better serving the

new bridle path provision around the site. The area of parking has been provided however the area is currently not being made available to locals for parking purposes on a daily basis. There appears to be a breach of the condition however this would depend on the interpretation of the “completion of the access road” as the developer considers the access road is yet to be completed. The developer intends to open the car park for public use upon completion of the access road which is to be constructed as part of phase 1 of the scheme when public liability insurance for public use of the private land can be put in place. The opening of the car park area is however not a matter for the current submissions however it will need to be resolved in due course. The spur is gated and limited and is by no means appropriate for parking due to the lack of available turning space and the prospect of having to reverse out into the roundabout which would be far from safe in highway terms. Notwithstanding this it is clear from Google streetview that the area is being used for parking purposes however it will not be an appropriate parking area as construction traffic is to be using this spur to undertake the development. It is considered that the new parking area should now be available for public use and certainly before the development commences and this would be an enforcement matter.

7.2.6 Pollution: The proposal is anticipated to contribute to environmental pollution in various forms. Construction activities, increased traffic, and potential discharges may result in air, water, and noise pollution. These pollutants can have adverse effects on both human health and the environment, necessitating a thorough evaluation of the proposed project's environmental impact.

Object to the pollution (air, light, traffic), glare, dust, noise and disturbance this would cause and question how anyone can think that the local road infrastructure can handle all this added pressure. Having a goliath of a development bringing many of the peak districts visitors to the monstrosity of a car park would

exacerbate the problems. The "hub" will transfer the noise, pollution and disturbance from the Peak Park whilst providing little in return for the Unstone. The "hub" will actually create more vehicle movements rather than less. There have been no detailed air pollution surveys and projections. Pollution: At the 2016 planning meeting the developer told the meeting that vehicles arriving at Peak Resort would remain parked for several days, the duration of the visitors stay and that this would reduce the possible number of vehicle movements. It was also stated that for ecological reasons all other movements on site would be by battery powered vehicles. The current proposal differs greatly. A 1,600 space car park, parking for 17 coaches and a bus terminus are planned at phase 1 with the developer expecting that eventually the car park would be filled twice every day leading to 6,000 plus daily vehicle movements. This enormous number of traffic movements would be around a perimeter road greatly extending the distance vehicles would travel on site causing unnecessary levels of air, light and noise pollution. Any car parking should be as close as possible to the access point to minimise pollution and to keep it as far away from resident's homes as possible. There should be a larger proportion of EV charging points as less than 20% are proposed.

Comment

The scheme delivers 160 EV charging points, 160 cycle parking racks, 12 taxi EV charging points together with the obligations set out in the s106 agreement to operate green travel initiatives such as a shuttle bus. The scheme also includes the use of hydrogen and electric powered buses as part of the Peak Express facility.

Comments regarding highway safety and capacity are also referred to in the report at paragraph 6.5 however it is clear the Highway Authority support the proposals on the basis of the highways information provided. The scheme envisages a reduction in on site parking compared with what has previously been accepted (2850 car spaces down to 1587 car spaces). The opportunity now arises to require electric vehicle charging points as a part of the scheme. A clause is included

in the s106 agreement which limits the construction route and access to be from the new roundabout so that a short cut via the former golf course entrance is not formed and the traffic is not routed through Unstone Green.

There is nothing to suggest that noise, air, dust or light pollution will be an issue above and beyond what has already been accepted as part of the development of this site. The submitted report by Cundalls sets out that the development is to as far as possible minimise or eliminate dust emissions, NOx emissions, ozone depletion and global warming impacts. There will be no on site combustion for heating or hot water and all services will be electrically driven. The development has low emission aspirations negating any impact on local air quality and the use of electric and hydrogen vehicles to access the site and on site is being encouraged. As far as lighting is concerned it is a necessity but is designed to provide safety and security without unnecessary illumination and power consumption. It is designed to avoid any light pollution of the night sky and the strategy is one of placement to avoid any disruption to flora or fauna. All lighting will be controlled to limit its use. As far as noise is concerned the buildings are designed to provide sound attenuation to mitigate any noise breakout.

- 7.2.7 Wildlife: Object to the start stop approach on the site. The wildlife has once again begun to take hold and this will again be decimated if this project is passed. The impact on the local wildlife and the environment would be beyond retrievable. This site backs on to land that has resident woodcock and nightjar - both nocturnal birds - and both listed as species of concern. The light pollution will undoubtedly affect their feeding and flighting routines. Woodcock are now extinct at the nearby Linacre Woods, an area with unrestricted public access. Neighbouring land backing onto this development has had great success at wildlife support and many species frequent and benefit from my management techniques and feeding regimes, indeed with the support of wildscapes, ponds have been created for the benefit and hopeful return of newts.

Development could adversely impact Great Crested Newts and their access corridors. How will mitigation of this project on neighbouring land will be actioned? During the period in which there has been little activity on site the wildlife has flourished. Owls and bats will be affected. Otters spotted in local area. There are many deer, hedgehog, hares, foxes and badgers on site with several rare and endangered bird, snake and voles. Lack of sufficient up to date surveys. This proposal would displace all the resident wildlife and would prevent them from accessing the River Drone. The developer is happy to claim to have been encouraging wildlife by "passive rewilding".

Monk Wood and Broombank plantation are one of the best examples of wildlife managed woodland in Derbyshire and the risk of disturbance to several rare species is very real from both increased footfall as well as the inevitable disturbance from roaming dogs and footfall. Monk Wood and Broombank plantation has a quite exceptional flora and avifauna. This summer I surveyed the flora of the site and recorded 168 species of trees/sedges/grasses and flowering plants. The full list is available but includes *Brassica carinata*, a first record for Derbyshire and Yellow Birds-nest (*Hypopitys monotropa*) a rare parasitic plant that lacks chlorophyll with only 6 known current sites in Derbyshire. The wintering passerine flocks on site (Finches/Buntings/Sparrows) was the largest in North Derbyshire, winter 2022.

A development costing tens of £millions cannot be better for the environment than the current natural state of the land, no matter how much they mention "wellness gardens" or cycle parking spots.

Comment

See paragraph 6.6 of the report. Major development on the site has already been accepted and implemented. Ecological and Environmental issues have been at the heart of the scheme from the start. There is already control in place concerning impacts on ecology and baseline survey work has been prepared. This is accepted as being dated and the applicant will need to provide additional survey/safeguards to ensure that ecological interests are safeguarded in any development

as and when the development takes place. The Wildlife Trust has raised no objection in principle to the development subject to conditions including for example an Ecological Clerk of Works being present during the development works. 10% BNG is now a mandatory requirement for all major developments submitted post 12th February 2024 and whereas the 10% requirement does not strictly apply to the reserved matters development, the applicant is still proposing to secure a significant enhancement representing a 10% gain.

7.2.8 Invasive weeds: The location next to semi ancient woodland is also far from ideal. The site has non native invasive species such as Himalayan balsam and a history of Japanese Knotweed.

Comment

In so far as the Ancient Woodland area reference is made to para 2.1 of the report which confirms that the development the subject of the current applications being considered is not physically affected. The plot is remote of any ancient woodland area and is situated wholly on a former opencast and tip sites.

Invasive weeds such as Himalayan Balsam and Japanese Knotweed are required to be dealt with if directly affected by the development however these are not present on the area the subject of the current development proposals. Where they exist on the wider Peak Resort site remains a private maintenance matter for the estate and between the respective landowners.

7.2.9 Flood Risk: Object to the size of the car parks and the vast area of solar panels which will all create run off for rainfall and flooding. Appreciate a SUDS system is in place but how many of these types of management tool are we currently witnessing fail?

Comment

See paragraph 6.7 of the report. There is a requirement to ensure that the development takes account of surface water

run off such that at times of rainfall the run off will be 40% improved compared to the current greenfield run off rate. Water will be stored on site during heavy rainfall in swales, rain gardens, ponds etc and will only be released to the river via hydrobrake after flood events have passed. This applies to the solar area as well as the built form of development however full detail of the drainage for the solar field is still to be provided and which can be secured by condition.

7.2.10 Land Condition: What substances may be found / distributed when / if construction begins as part of the site was a waste tip and opencast. Imagine the ecological consequences. On a recent visit to the rerouted bridleway by the river we noticed a very strong smell of chemicals where the watercourse in the area of the old tip joins the River Drone. Chemical pollution may entering the river at this point and an urgent investigation is needed before this area is disturbed or covered over. The river at the bottom of the site would also be destroyed by the building waste getting into the water system.

Comment

As part of previous Discharge of Condition submissions (CHE/14/00387/DOC and CHE/20/00358/DOC) the applicant has already undertaken phase I and II site investigation works regarding the area of the site which was previously used as a landfill site and which has been accepted by the Council. The former tip is to remain undisturbed in the scheme being used for surface mounted solar and landscaping/bunding only. Detail of ground disturbance through foundations and drainage works will need to be secured buy condition of any approval. The remainder of the site of the development has been opencast and backfilled thereby removing any ground condition/stability issue. There is however an area to the south of the site which was not opencast and where ground works may have been carried out and which requires further investigation as indicated by the Coal Authority. This can be secured by condition requiring the detail to be agreed before any works take place in the affected area.

In terms of the chemical smell this was investigated on site by the Environment Agency. They located the discharge point to the River Drone just past Brierley Bridge commenting that there were no signs of pollution at the time of the visit. They tested the water a couple of metres downstream of the outfall which showed good water quality with high oxygen levels, neutral pH and no raised ammonia levels and they subsequently closed the case with no further action required.

- 7.2.11 Hydrogen: Concern regarding the use of hydrogen on site and the implications it has on climate change during its production. The fuel is explosive and wonder if its use is suitable so close to a residential area.

Comment:

The use of hydrogen to power vehicles has the potential to make a big difference in carbon emissions. By their nature all fuels have some degree of risk associated with them and there is therefore a need to ensure appropriate design and engineering controls to enable safe handling and use. The applicant has already trialled both hydrogen powered and electric powered buses from the site and there appears to be no planning reason why hydrogen powered transport could not utilise this site.

- 7.2.12 Utilities and support services: The expansion will likely strain existing utilities and support services particularly waste management and waste water systems. Inadequate infrastructure could lead to over burdened services and potential environmental hazards.

Comment

On the basis that the applications are for reserved matters and s73 amendments to what has already been agreed the issue of utility and support service capacity has already been accepted. The development intends to be self sufficient as far as possible with its own waste treatment facilities, surface water storage, electric generation, no gas.

7.2.13 Visual Impact/Scale of Development: The moving of the car parks and the buildings will amount to massing. The hotel looks to be lost amongst a host of "units". A blight on the landscape with more green space disappearing. A huge development that will swallow up yet more of our green area's around our once lovely market town. Although see the benefits of having solar panels, there are better places for them. From a distance as visitors to the area drive past, the overwhelming view will be of tarmac and the hard surfaces of the solar panels. You can see that this has happened on the drive towards the Chesterfield "gateway" as the beautiful fields are slowly being taken over by black solar panels. Please don't make our beautiful green areas a desert to wildlife. Development could negatively impact property values, community aesthetics, and the overall cohesion of the area. Guidelines state it is crucial to ensure that new developments enhance rather than detract from the community.

Comment

See paragraph 6.3 of the report. The development on the site has already been accepted and the progressive changes which have been made over time have reduced the visual impact of the proposal. The scheme is now considerably smaller than the original single dome structure and also substantially less than the scheme accepted in 2008 and 2016 as referred to at paragraph 6.3.4.

The respondent comments that they can see the benefits of having solar panels but comments that there are better places for them commenting that for visitors to the area driving past, the overwhelming view will be of tarmac and the hard surfaces of the solar panels. This is not the case and it is considered that the land is ideal for inclusion of solar panels. Whilst there will be views of the solar from the perimeter footpath it is unlikely due to topography and woodland screening that the panels would be visible to anyone passing by on Sheffield Road. They are to be on the lowest part of the site tucked

alongside the woodland edge and would not be generally visible other than from on the site. They make use of the former landfill site and their presence would be a reflection of the modern contemporary approach being taken to the c21 development of the site. They will face toward the south away from the Unstone direction such that any glare or reflection will not be created to the nearest residential areas.

- 7.2.14 Climate Change: We live in a time of rapid climate change with high levels of pollution and traffic congestion and many responsible Councils are taking action to discourage polluting vehicles by creating low emission zones and making congestion charges in the hope that motorists are encouraged to switch to Hybrid or Electric vehicles. My attempts to mitigate the impacts of climate change are likely to be completely negated by an unwanted, unnecessary, dirty, polluting, and congestion causing development next door. There are an inadequate number of EV battery charging positions proposed.

Comment

See paragraph 6.10. The scheme is to secure a development which is based on the principles of sustainable building design and which attempts to secure a scheme as close to being carbon neutral as possible. The scheme is certainly smaller in terms of mass and quantum thereby reducing the likely traffic impact compared to what has previously been accepted. The scheme promotes alternative to petrol and diesel vehicles through a transport strategy and which delivers an appropriate number of ev charging stations and cycle racks as well as promoting efficient public transport options.

- 7.2.15 Public Money/funding: Object to the waste of public money. SCRIF payments of over £2.5 million to create a roundabout currently to nowhere, grants for fencing and paths that are currently in need of repair. The money should be returned as jobs that were forecast / promised and required in the conditions of the agreement have not materialised. Is it not now time to get this public money back and spend it somewhere more advantageous? Object on basis of

potential lack of future funding and question the business acumen and question how this may be examined by future funders. Concerns relate to the project being started and then simply running out of money.

Comment:

See planning history at para 3.4. The permission to amend the original scheme which was granted in 2005 included the diversion of all routes crossing the site to the perimeter of the site and this was realised through SCRIF funding of £2.85m. this funding allowed the scheme to be implemented through the creation of the new access roundabout and s278 agreement, together with diversion of the footpath and bridle routes which crossed the site and new fencing all as a way of facilitating the development. As part of the SCRIF funding £89,000 was placed with Derbyshire County Council to address any impacts which needed addressing as a result of monitoring the performance of the new roundabout (ie potential for traffic light control on Sheepbridge Lane). The funding came with a requirement for the delivery of a number of jobs which need to be secured by 2035.

- 7.2.16 Consultation/Publicity: Previous objectors are neither considered or consulted. Lack of public knowledge. There is considerable local opposition to this proposal and local residents have not been informed or consulted. There should be a public meeting involving all parties.

Comment:

All comments which have been received are being considered as part of the processing of the applications and we will inform parties when the REM and REM1 applications. Applications are considered on their individual merits and objections made to a previous scheme do not necessarily mean that the objections stand for all future schemes.

Local residents around the site have been consulted by letter in line with the required regulations and guidance. The

proposals have also been advertised in the press and a number of site notices have been erected around the site. Furthermore, public open days were arranged at the site from 28th August through to 1st September 2023 prior to submission of the applications where information and detail regarding the proposals was available for consideration. An offer of availability outside of the advertised hours was also provided and numerous interested parties attended one of the open days. The applicant has also advertised on their website that there continues to be an open offer for anyone to make arrangements to visit to establish detail and information. This offer has been placed on their home page and added to facebook channels. It has not been considered necessary to hold a further public meeting to disseminate information and detail.

- 7.2.17 Conflict of Interests: Dronfield Civic Society support Peak's applications however in NEDDC they are opposing 23/00932. Cannot understand how a consultee can support one project and object to another project in the immediate vicinity, granted one is business and the other residential. The society objects to the residential development as Dronfield is a medieval market town with a distinct historic character. Surely this applies to Peak. The society questions the visibility and its impact on amenity value - surely Peak has a massive visual impact for its residents who will have green space tarmacked - glare from solar panels and massive buildings to look at. The society questions the residential development as the wrong solution in the wrong place and again I know that this comment has been made against Peak. The society have objected to the residential development on issues relating to flooding of the River Drone, surface run off, traffic issues, pollution and the congestion. All these issues are anticipated to be far greater at Peak as it is expected to have far greater volumes of people and vehicular movements, particularly as the business concept appears to have changed from overnight stay to day visits. Issues concerning wildlife are raised in the NEDDC application with bats, birds and badgers using the land all questioned. Fail to see how the society can support Peak as again all the wildlife issues

are to be multiplied by the development on that site. Just the sheer number of people expected at Peak will cause massive disturbance to wildlife - as well as air and light pollution altering and damaging both navigation and foraging. Question why Dronfield Civic Society have been asked to be a consultee for CBC and Peak but not for NEDDC. Also question the conflict of interest between a committee member of the society and an employee at Peak. Suggest that the society's support should be removed and their opinion discounted.

Comment:

The comments of all parties are taken into consideration as part of the decision making process. Each application is considered on its individual planning merits and it is perfectly reasonable to understand why the Dronfield Civic Society may consider support for the Peak applications but object to a housing development in Dronfield. They are different schemes in different areas and have materially different considerations.

- 7.2.18 Financial matters/conflict: Concern regarding the involvement of Chesterfield Council and its potential financial interest in the project. Concerns regarding impartiality and transparency of the decision-making process when the council with a possible financial stake in the project is overseeing the planning application process. Withholding of a feasibility study from public view exacerbates these concerns. Of particular concern is the revelation that representatives of Peak Worldwide have met with the Leader and Chief Executive of the Council to discuss the opportunity for the Council to lead in delivering and operating the Peak Gateway building. This suggests a potential conflict of interest and calls into question the integrity of the decision-making process. Additionally, Peak Gateway requested loan assistance in 2022, and the results from this meeting are also restricted from public view. This lack of transparency undermines trust in the project and raises concerns about the fairness of the decision-making process. It is understood that the Council has loaned £0.5m to Baylight Properties so the Council has a funding stake in the scheme. Consider that none of the project has any funding. Baylight Properties is already a

successful company with substantial assets and suggest that it didn't need to borrow £0.5m.

Wonderful plans but unconvinced that anything like enough finance is in place for this huge project (or in prospect) to take actual building or job creation very far however, I don't suppose that's really a planning matter.

Comment

Planning Committee is required to determine the application submitted to the Council. This is a matter for Planning Committee to consider who can separate themselves from other Council decisions and business to ensure any planning decision is taken solely on planning reasoning and which is an objective and independent decision based on the committee's evaluation of all the material planning considerations relating to the development. As with all committees there is an opportunity for any interests which may exist to be declared. How a development is funded and any financial arrangements which may or may not be in place has nothing to do with the planning determination and whether planning permission should be allowed or denied. The fact that the Council may have given a secured loan is not relevant to the planning consideration and any reports, such as a feasibility study, are commercially confidential. In so far as the concern regarding lack of funding it is not uncommon for finances to remain outstanding when planning applications are considered and indeed it is usually necessary for a planning permission to be in place first to then allow for the financial arrangements and funding of a scheme to be progressed.

- 7.2.19 Reference is made to a Destination Chesterfield article which refers to the Gateway at Peak having been consented on 300 acres of land. Aware that planning consent was granted for Peak Resort as a largely hotel based project with ancillary buildings. The current proposal is a very large car park and bus terminal which differs so much from the original concept of hotels and education

facilities with a long stay car park with electric service vehicles that it must be the subject of a completely new planning application. The article refers to being able to explore the National Park thanks to a Zero-Carbon Travel Hub however 1,600 parking spaces and up to 6000 vehicle movement a day are going to create plenty of carbon as well as other forms of pollution and a great deal of congestion. The article also refers to the site being in 35 years in Nature Recovery and passive rewilding however does not refer to the recovery of the remaining wildlife which would be terminated/ displaced if this project was to go ahead. Chesterfield Council and it's employees should remain impartial and unbiased at all times and suggest that this biased and misleading article is removed.

Comment

The scheme clearly involves a large area of car parking and a transport interchange however this is just one component of a much more significant development scheme as set out in para 6.5.15. The development is not just a long stay car park with park and ride facility to the Peak District National Park. Whereas a Travel Hub and Peak Express Terminus is proposed as a point of arrival and departure for the site it will also be used to connect the scheme to Chesterfield and the local rail stations at Sheffield and Chesterfield and hydrogen and electric buses will access the Peak Park and wider region from there. The Travel Hub and Peak Express is as much about connecting the site to Chesterfield as it is to the Peak District National Park.

7.2.20 Call In: Request the application be called in if the Council intend to approve so a review can be conducted.

Comment:

On the basis that the current submissions are reserved matters, s73 submissions and Discharge of Condition submissions which link directly to the permissions which have been granted for the development of this site, it is not considered that they fall into the type of decision requiring a referral to the Planning Casework Unit. If the objectors

consider this to be necessary then it is for them to pursue such a course of action.

7.3 PETITION _ CHEETHAM AVENUE – 38 signatures

7.3.1 The head petitioner states that residents were completely unaware of the scale of the proposed development. Some were aware that a development was planned but were under the impression that it would be relatively small and close to the bypass. Others had assumed that development was stalled and nothing was going to happen. The head petitioner states that residents were shocked by the number of proposed parking spaces for cars and buses and by the planned ring road around the site which would bring vehicles close to residents homes with a level of pollution and congestion that might be created being a concern.

7.3.2 The petition says:

Many residents are concerned about the above application. This differs so much from the original Peak Resort proposal that it should be the subject of a completely new planning application. Despite this Chesterfield Council seem prepared to accept that new planned 1600 space car park and bus ride terminal can be built under the planning approval that was granted for Peak Resort. They are not prepared to consider the adverse effects on the local community. There are numerous reasons why we should object to these proposals:

- 1) Pollution: The huge number of cars and buses that would come on to the site would bring air, noise and light pollution into local villages and to the back door of many residents.
- 2) Congestion: Vast numbers of daily vehicle movements could be expected, the developer expects to fill the 1600 space car park twice each day – more than 6,000 movements. The local road network is currently unable to cope at peak times with traffic backing up onto the bypass slip roads and onto the several local industrial estates that are fed from the new unsuitable roundabout. Traffic would no doubt substantially increase on the road from Dronfield to Sheepbridge, it is already busy morning and early evening.

- 3) No need: Numerous park and ride facilities are already on offer from Chesterfield and Sheffield. These are cost effective and efficient.
- 4) Effect on Wildlife: In recent years the wildlife of this 300 acre site has enjoyed a major recovery. There are now large numbers of deer, foxes, badgers, voles, rodents, snakes, frogs and newts, bats and many rare birds on this site. What will happen to the displaced wildlife?
- 5) Future: Retail, food and beverage and entertainment facilities planned for this site would take business away from Chesterfield and Dronfield where the retail and entertainment sectors are already under pressure.

Please enter your signature below to indicate that you are opposed to these plans.

7.4 **PETITION – CHANGE.ORG – 1121 signatures**

- 7.4.1 The petition aims to persuade Chesterfield Borough Council to withdraw support for Peak Gateway. The petition aims to show the council that the people of Chesterfield do not want a park and ride type scheme taking money and visitors from the town into the Peak.

The petition aims to show the council that the people of Chesterfield do not believe that the jobs created - indeed the developer is utilising the skills of a London based architect - will be to locals. Indeed the last project was looking at shipping equipment in from Europe.

In my opinion and that of many others this simply is a different development to that originally granted planning permission some 30 years ago

The latest project with its nearly 2000 space car park will create hundreds if not thousands of vehicular movements each day - bringing air, noise and light pollution to the local community.

The local roads are already straining and that is without the residential traffic yet from the planned developments at Dunston and Dronfield.

The wildlife will suffer undeniably on site and in the surrounding area as allegedly hundreds and thousands of visitors descend on this small village - notwithstanding the 1000/2000/3000 jobs it is planning to create in its various phases. More than Alton Towers - Thorpe Park - Longleat safari park? Where would all these employees even park?

The project has not found success in its many guises over the last 30 years despite Council support, front pages in the press and millions in public funding to facilitate road works and access.

The lack of consultation with some of the local residents for a project of this size is simply staggering. Last time out it was to be "Adrenaline World" - go karts - swings - climbing walls. The developer and indeed the Council appear more and more desperate to build something here - anything - as if this will vindicate all the years of support and all the money spent - but sometimes if something is destined for failure then that is just what it is - destined for failure! So - Its is now time to return the public money. Its now time to stop wasting the resources of the planning authority personnel. Its now time to let the people of Unstone and the surrounding areas get on with their lives without this project hanging over them. Enough is enough.

Comment

The petition is a material consideration however of note is that it refers to the people of Chesterfield but less than 9% of those who have signed signing are from Chesterfield Borough, Dronfield, Unstone or Barlow (95 out of 1121)

- 8.1 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
- 8.2 The action in considering the application is in accordance with clearly established Planning law and the Council's Delegation scheme.
- 8.3 The objective of arriving at a decision is sufficiently important to justify the action taken over the period of the life of the application. The decision taken is objective, based on all planning considerations and is, therefore, not irrational or arbitrary. The methods used are no more than are necessary and required to accomplish the legitimate objective of determining an application.
- 8.4 The interference caused by a refusal, approval or approval with conditions, based solely on planning merits, impairs as little as possible with the qualified rights or freedoms of the applicant, an objector or consideration of the wider Public Interest. The applicant has a right of appeal against any conditions imposed on any permission which may be issued.

9.0 **STATEMENT OF POSITIVE AND PROACTIVE WORKING WITH APPLICANT**

- 9.1 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 paragraphs 186 and 187 of the National Planning Policy Framework (NPPF).

- 9.2 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 applications. 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.
- 9.3 The officer report informing of the applications considerations and recommendation/conclusion will be made available to all interested parties.

10.0 **CONCLUSION**

- 10.1 The development of the Peak Resort scheme is a priority for the Council and which has the benefit of permission in outline and detail for phase one. The current applications reflect the evolution of the scheme and which has been considered in so far as the impacts on the local area however it is clear that the development is of a smaller scale and quantum to that which has already been previously agreed.
- 10.2 The applications are for matters reserved by previous permissions and through the s73 process, for a repositioning of buildings already consented. The principle of the development does not therefore arise. The scheme is considered to be acceptable in planning terms and where the impacts can be mitigated by conditions as part of the permissions granted. The scheme remains in accord with the principles of the development already agreed on the site and which are acceptable from a residential amenity, highways safety and design and appearance and environmental/ecological basis. The proposals accord with the requirements of Policies CLP1 (Green Belt), CLP2 (Principles of Location of Development), CLP6 (Economic Growth), CLP7

(Tourism and Visitor Economy), CLP12 (Renewable Energy), CLP13 (Managing the Water Cycle), CLP14 (Healthy Environment), CLP15 (Green Infrastructure), CLP16 (Biodiversity, Geodiversity and Ecology), CLP20 (Design) and CS22 (Influencing the Demand for Travel) of the 2018-2035 Chesterfield Local Plan as well as the wider National Planning Policy Framework 2023 (NPPF).

11.0 **RECOMMENDATIONS**

11.1 That concurrent with issuing any planning permission that a s106 agreement be signed which binds the terms of the existing 2005 agreement to the current proposals the subject of CHE/23/00579/REM; CHE/23/00583/REM1 and CHE/23/00584/REM.

11.2 That the following conditions and notes be imposed on any permissions issued:

CHE/23/00579/REM

APPROVED subject to the following conditions

1. The development hereby approved shall only be carried out in full accordance with the approved plans and documents (listed below) with the exception of any approved non-material amendment. All external dimensions and elevational treatments shall be as shown on the approved plan/documents (listed below).
 - 544_PL003 Proposed Gateway Site Plan
 - 544_PL006 Proposed Gateway Site Sections
 - 544_PL007 Proposed Gateway GA Plan Base
 - 544_PL008 Proposed Gateway GA Plan Lower Ground Floor
 - 544_PL009 Proposed Gateway GA Plan Ground Floor
 - 544_PL010 Proposed Gateway GA Plan Upper Ground Floor
 - 544_PL011 Proposed Gateway GA Plan Roof
 - 544_PL012 Proposed Gateway Base & Ground Floor Elevations

- 544_PL013 Proposed Gateway Ground Floor & Upper Ground Floor Elevations
- 544_PL014 Proposed Gateway West-East Section AA, BB and CC
- 544_PL016 Proposed PEAK Horticulture GA Plan Base
- 544_PL017 Proposed PEAK Horticulture GA Plan Lower
- 544_PL018 Proposed PEAK Horticulture GA Plan Ground Floor
- 544_PL019 Proposed PEAK Horticulture GA Plan First Floor
- 544_PL020 Proposed PEAK Horticulture GA Plan Roof
- 544_PL021 Proposed PEAK Horticulture GA Elevation North & East
- 544_PL022 Proposed PEAK Horticulture GA Elevation South & West
- 544_PL023 Proposed PEAK Horticulture GA Sections South-North & West-East
- 544_PL024 Proposed PEAK Horticulture Bay Study East & West
- 544_PL025 Proposed PEAK Outdoors GA Plan Base
- 544_PL026 Proposed PEAK Outdoors GA Plan Lower Ground Floor
- 544_PL027 Proposed PEAK Outdoors GA Plan Ground Floor
- 544_PL028 Proposed PEAK Outdoors GA Plan Roof
- 544_PL029 Proposed PEAK Outdoors GA Plan Elevation North & East
- 544_PL030 Proposed PEAK Outdoors GA Plan GA Elevation South & West
- 544_PL031 Proposed PEAK Outdoors GA Sections South-North & West-East
- 544_PL047 Proposed Gateway Solar Dome & Solar Field Typical Sections
- Ecological Impact Assessment (BirC01.1)
- Baseline BNG Assessment (BirC01.2)
- BNG Metric 4.0 (BirC01.2)
- BNG Condition Assessment Sheets (BirC01.2)
- Sustainable Drainage Strategy (PGP-1663-01-DS-001)
- Drainage Strategy (PGP-1663-01-DR-001-P3)
- SUDS Construction Details (PGP-1663-01-DR-002-P2)

- Whole Estate SUDS Plan (PGP-1663-01-DR-005)
- Gillespies Gateway@PEAK Stage 2 Landscape Report (P21469-00-001-GIL-0708)
- General Arrangement (P21469-00-001-GIL-0100-00)
- General Arrangement - Base (P21469-00-001-GIL-0101-00)
- General Arrangement – Lower Ground (P21469-00-001-GIL-0102-00)
- General Arrangement – Ground (P21469-00-001-GIL-0103-00)
- General Arrangement – Upper Ground (P21469-00-001-GIL-0104-00)
- Generated Traffic Assessment & Movement Strategy PGP-1663-01-TS-001)
- Outline Level and Levels Features Plan (P21469-00-001-GIL-0800-00)
- Materials Plan (P21469-00-001-GIL-0801-00)
- Planting Typologies Plan (P21469-00-001-GIL-0802-00)
- Tree Species Location Plan (P21469-00-001-GIL-0803-00)
- Lighting Plan (P21469-00-001-GIL-0804-00)
- Sections (P21469-00-001-GIL-0805-00)
- Movement Strategy (PGP-1663-01-HW-001-P8)
- Ambulant Accessibility Strategy (P21469-00-001-GIL-0708-00)
- Car Park 1 NW (PGP-1663-01-HW-002)
- Car Park 2 N (PGP-1663-01-HW-003)
- Car Park 3 NE (PGP-1663-01-HW-004)
- Car Park 4 (PGP-1663-01-HW-005)
- Car Park 5 (PGP-1663-01-HW-006)
- Car Park 6 SE (PGP-1663-01-HW-007)
- Car Park 7 SW (PGP-1663-01-HW-008)
- Energy & Sustainability Statement (PDS-CDL-ZZ-XX-RP-SY-70202)
- Outline Energy Strategy
- Verified View Methodology
- Visual Impact Assessment Report

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.

2. Prior to the commencement of the development hereby agreed a phasing plan for delivery of the scheme shall be submitted to the local planning authority for consideration. The development shall thereafter only proceed in accord with the phasing plan agreed in writing by the local planning authority.

Reason – In the interests of securing an appropriate order and provision of development on the site.

3. Full details of security measures to be installed at the site shall be submitted to the local planning authority for consideration. The agreed details shall be implemented as part of the development and shall be installed and made available concurrent with the first occupation of each phase of the development on site.

Reason - In the interests of ensuring a secure and safe facility.

4. There shall be no vehicular or pedestrian access to the proposed car parking areas on the site from the former golf course access from Sheffield Road to the north of the site.

Reason - In the interests of highway safety and residential amenity.

5. Prior to their installation on site full details of fume extraction equipment proposed for each food and beverage units within the development shall be submitted to the Local Planning Authority for consideration. These details shall include the external appearance, location, materials and manufacture details of any such equipment. Only those details, or any amendments to those details as may be required, which receive the written approval of the Local Planning Authority shall be installed on site.

Reason - In order to ensure that there is no visual impact from their installation and that the equipment proposed is fit for purpose.

6. Prior to their installation on site details of any external air conditioning units proposed for each phase of the development shall be submitted to the Local Planning Authority for consideration. These details shall include the external appearance, location, materials and manufacture details of any such equipment. Only those details, or any amendments to those details as may be required, which receive the written approval of the Local Planning Authority shall be installed on site.

Reasons - In order to ensure that there is no detrimental visual impact or disturbance from their installation.

7. Precise specifications or samples of the walling and roofing materials to be used for each phase of development shall be submitted to the Local Planning Authority for consideration. Only those materials approved in writing by the Local Planning Authority shall be used as part of the phase of development unless otherwise agreed by the Local Planning Authority in writing.

Reason – to ensure the material used is appropriate for the site context in accordance with CLP20 and CLP22 of the Chesterfield Local Plan 2018-35

8. No work shall commence on the installation of the solar field until a flood risk assessment and surface water management arrangements for the solar field, including a surface water run off regulation system, has been submitted to the Local Planning Authority for consideration. Only those details, or any amendments to those details as may be required, which receive the written approval of the Local Planning Authority shall be implemented on site prior to the solar field first generating electricity unless otherwise agreed in writing by the Local Planning Authority.

Reason - In order that the site is drained in a sustainable manner without detriment to the surrounding environment and to prevent increased risk of flooding in accordance with CLP13 of the Chesterfield Local Plan 2018-35.

9. No work shall commence on the installation of the solar field until full details of the foundations for the panels and any ancillary buildings and equipment together with any necessary drainage works, have been submitted to the Local Planning Authority for consideration. Only those details, or any amendments to those details as may be required, which receive the written approval of the Local Planning Authority shall be implemented on site prior to the solar field first generating electricity unless otherwise agreed in writing by the Local Planning Authority.

Reason - In order that the relationship of the development to the former waste tip can be assessed to mitigate any unnecessary disturbance to the ground in accordance with policy CLP14 of the Chesterfield Local Plan 2018-35.

10. A scheme of secure cycle parking for staff to be provided on the site for each phase of the development shall be submitted to the local planning authority for consideration. The details agreed in writing shall be implemented as part of each phase and shall be available for use prior to first occupation of the respective phase of development to which it relates and retained thereafter.

Reasons - In the interests of promoting alternative transport options to the private car in accordance with policy CLP22 of the Chesterfield Local Plan 2018-35.

11. The 160 Electric Vehicle charging points shall be provided across the site in accordance with the agreed phasing plan and which shall be available for use prior to first occupation of the respective phase of development to which it relates and shall be retained thereafter.

Reasons - In the interests of promoting alternative transport options to the private car in accordance with policy CLP22 of the Chesterfield Local Plan 2018-35.

12. The 160 cycle parking spaces for visitors shall be provided across the site in accordance with the agreed phasing plan and which

shall be available for use prior to first occupation of the respective phase of development to which it relates and shall be retained thereafter.

Reasons - In the interests of promoting alternative transport options to the private car in accordance with policy CLP22 of the Chesterfield Local Plan 2018-35.

13. The car parking provision shall be provided across the site in accordance with the agreed phasing plan and which shall be available for use prior to first occupation of the respective phase of development to which it relates and shall be retained thereafter.

Reasons - In the interests of promoting alternative transport options to the private car in accordance with policy CLP22 of the Chesterfield Local Plan 2018-35.

14. Prior to commencement of the development a Construction Method Statement (CMS) shall be submitted to the Local Planning Authority for consideration, this document shall set out details of protective measures, a general programme of site works and details of appropriate on site personnel including the Ecological Clerk of Works for the development. No work shall commence on site until written approval of this document, or any amendments to it as may be required, have been received from the Local Planning Authority and the development shall only proceed in accordance with the agreed CMS.

Reason - In order to ensure working methods are appropriate to such a sensitive location.

15. If development is not commenced by August 2025, further ecological surveys of the site shall be submitted to the Local Planning Authority for consideration.

Reason – To ensure update survey information in the interests of ecology and biodiversity in accordance with policy CLP16 of the Chesterfield Local Plan 2018-35 and the NPPF.

16. Details of ecological enhancement measures to be implemented for each phase of the development on the site to provide a measurable biodiversity net gain shall be submitted to the Local Planning Authority for consideration. Only the ecological enhancement measures agreed in writing shall be implemented on site prior to each phase of the development hereby approved being first occupied and the ecological enhancement measures shall thereafter remain in perpetuity.

Reason - In the interests of ecology and biodiversity in accordance with policy CLP16 of the Chesterfield Local Plan 2018-35 and the NPPF.

17. Prior to the occupation of each phase 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 phase of 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 fully establish the presence and / or otherwise of any coal mining legacy affecting the application site and policy CLP14.

Notes

1. If work is carried out other than in complete accordance with the approved plans, the whole development may be rendered unauthorised, as it will not have the benefit of the original planning permission. Any proposed amendments to that which is approved will require the submission of a further planning application.
2. This approval contains condition/s which make requirements prior to development commencing. Failure to comply with such

conditions will render the development unauthorised in its entirety, liable to enforcement action and will require the submission of a further application for planning permission in full.

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

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 or a similar service provider.

CHE/23/00583/REM1

1. The development hereby approved shall only be carried out in full accordance with the approved plans and documents (listed below) with the exception of any approved non-material amendment. All external dimensions and elevational treatments shall be as shown on the approved plan/documents (listed below).
 - 544_PL001 Existing PEAK Site Plan
 - 544_PL002 Proposed PEAK Site Plan
 - 544_PL003 Proposed Gateway Site Plan
 - 544_PL005 Existing Gateway Site Sections
 - 544_PL006 Proposed Gateway Site Sections
 - 544_PL007 Proposed Gateway GA Plan Base
 - 544_PL008 Proposed Gateway GA Plan Lower Ground Floor
 - 544_PL009 Proposed Gateway GA Plan Ground Floor
 - 544_PL010 Proposed Gateway GA Plan Upper Ground Floor
 - 544_PL011 Proposed Gateway GA Plan Roof
 - 544_PL012 Proposed Gateway Base & Ground Floor Elevations
 - 544_PL013 Proposed Gateway Ground Floor & Upper Ground Floor Elevations
 - 544_PL014 Proposed Gateway West-East Section AA, BB and CC
 - 544_PL032 Proposed PEAK Hotel GA Plan Ground Floor

- 544_PL033 Proposed PEAK Hotel GA Plan Upper Ground Floor
- 544_PL034 Proposed PEAK Hotel GA Plan First Floor
- 544_PL035 Proposed PEAK Hotel GA Plan Second Floor
- 544_PL036 Proposed PEAK Hotel GA Plan Third Floor
- 544_PL037 Proposed PEAK Hotel GA Plan Fourth Floor
- 544_PL038 Proposed PEAK Hotel GA Plan Plan Roof
- 544_PL039 Proposed PEAK Hotel GA Elevation North & East
- 544_PL040 Proposed PEAK Hotel GA Elevation South & West
- 544_PL041 Proposed PEAK Hotel GA Sections South-North & West-East
- 544_PL042 Proposed PEAK Hotel Bay Study East
- 544_PL043 Proposed PEAK Express GA Plan Upper Ground Floor
- 544_PL044 Proposed PEAK Express GA Plan Roof
- 544_PL045 Proposed PEAK Express GA Elevations West & North
- 544_PL046 Proposed PEAK Express GA Sections South-North & West-East
- 544_PL047 Proposed Gateway Solar Dome & Solar Field Typical Sections
- 544_SK0086 Proposed Planted Landscape Bund
- 544_0220 Proposed Gateway Area Plans Base (GEA)
- 544_0221 Proposed Gateway Area Plans Lower Ground Floor (GEA)
- 544_0222 Proposed Gateway Area Plans Ground Floor (GEA)
- 544_0223 Proposed Gateway Area Plans Upper Ground Floor (GEA)
- 544_0224 Proposed Gateway Area Plans Upper Levels (GEA)
- 544_0230 Proposed Gateway Area Plans Base (GEA)
- 544_0231 Proposed Gateway Area Plans Lower Ground Floor (GEA)
- 544_0232 Proposed Gateway Area Plans Ground Floor (GEA)
- 544_0233 Proposed Gateway Area Plans Upper Ground Floor (GEA)
- 544_00234 Proposed Gateway Area Plans
- Ecological Impact Assessment (BirC01.1)

- Baseline BNG Assessment (BirC01.2)
- BNG Metric 4.0 (BirC01.2)
- BNG Condition Assessment Sheets (BirC01.2)
- Sustainable Drainage Strategy (PGP-1663-01-DS-001)
- Drainage Strategy (PGP-1663-01-DR-001-P3)
- SUDS Construction Details (PGP-1663-01-DR-002-P2)
- Whole Estate SUDS Plan (PGP-1663-01-DR-005)
- Gillespies Gateway@PEAK Stage 2 Landscape Report (P21469-00-001-GIL-0708)
- General Arrangement (P21469-00-001-GIL-0100-00)
- General Arrangement - Base (P21469-00-001-GIL-0101-00)
- General Arrangement – Lower Ground (P21469-00-001-GIL-0102-00)
- General Arrangement – Ground (P21469-00-001-GIL-0103-00)
- General Arrangement – Upper Ground (P21469-00-001-GIL-0104-00)
- Generated Traffic Assessment & Movement Strategy PGP-1663-01-TS-001)
- Outline Level and Levels Features Plan (P21469-00-001-GIL-0800-00)
- Materials Plan (P21469-00-001-GIL-0801-00)
- Planting Typologies Plan (P21469-00-001-GIL-0802-00)
- Tree Species Location Plan (P21469-00-001-GIL-0803-00)
- Lighting Plan (P21469-00-001-GIL-0804-00)
- Sections (P21469-00-001-GIL-0805-00)
- Movement Strategy (PGP-1663-01-HW-001-P8)
- Ambulant Accessibility Strategy (P21469-00-001-GIL-0708-00)
- Car Park 1 NW (PGP-1663-01-HW-002)
- Car Park 2 N (PGP-1663-01-HW-003)
- Car Park 3 NE (PGP-1663-01-HW-004)
- Car Park 4 (PGP-1663-01-HW-005)
- Car Park 5 (PGP-1663-01-HW-006)
- Car Park 6 SE (PGP-1663-01-HW-007)
- Car Park 7 SW (PGP-1663-01-HW-008)
- Energy & Sustainability Statement (PDS-CDL-ZZ-XX-RP-SY-70202)
- Outline Energy Strategy

- Verified View Methodology
- Visual Impact Assessment Report

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.

2. Prior to the commencement of the development hereby agreed a phasing plan for delivery of the scheme shall be submitted to the local planning authority for consideration. The development shall thereafter only proceed in accord with the phasing plan agreed in writing by the local planning authority.

Reason – In the interests of securing an appropriate order and provision of development on the site.

3. Full details of security measures to be installed at the site shall be submitted to the local planning authority for consideration. The agreed details shall be implemented as part of the development and shall be installed and made available concurrent with the first occupation of each phase of the development on site.

Reason - In the interests of ensuring a secure and safe facility.

4. There shall be no vehicular or pedestrian access to the proposed car parking areas on the site from the former golf course access from Sheffield Road to the north of the site.

Reason - In the interests of highway safety and residential amenity.

5. Prior to their installation on site full details of fume extraction equipment proposed for each food and beverage units within the development shall be submitted to the Local Planning Authority for consideration. These details shall include the external appearance, location, materials and manufacture details of any such equipment. Only those details, or any amendments to those

details as may be required, which receive the written approval of the Local Planning Authority shall be installed on site.

Reason - In order to ensure that there is no visual impact from their installation and that the equipment proposed is fit for purpose.

6. Prior to their installation on site details of any external air conditioning units proposed for each phase of the development shall be submitted to the Local Planning Authority for consideration. These details shall include the external appearance, location, materials and manufacture details of any such equipment. Only those details, or any amendments to those details as may be required, which receive the written approval of the Local Planning Authority shall be installed on site.

Reasons - In order to ensure that there is no detrimental visual impact or disturbance from their installation.

7. Precise specifications or samples of the walling and roofing materials to be used for each phase of development shall be submitted to the Local Planning Authority for consideration. Only those materials approved in writing by the Local Planning Authority shall be used as part of the phase of development unless otherwise agreed by the Local Planning Authority in writing.

Reason – to ensure the material used is appropriate for the site context in accordance with CLP20 and CLP22 of the Chesterfield Local Plan 2018-35

Notes

1. If work is carried out other than in complete accordance with the approved plans, the whole development may be rendered unauthorised, as it will not have the benefit of the original planning permission. Any proposed amendments to that which is approved will require the submission of a further planning application.

CHE/23/00584/REM

1. The development hereby approved shall only be carried out in full accordance with the approved plans and documents (listed below) with the exception of any approved non-material amendment. All external dimensions and elevational treatments shall be as shown on the approved plan/documents (listed below).
 - PL003 Proposed Gateway Site Plan
 - Movement Strategy (PGP-1663-01-HW-001-P8)
 - Long Section Sheet 1 of 2 (PGP-1663-01-HW-010)
 - Long Section Sheet 2 of 2 (PGP-1663-01-HW-011)
 - General Arrangement (PGP-1663-01-HW-012)
 - Construction Details (PGP-1663-01-HW-013)
 - Cross Section (PGP-1663-01-HW-014)
 - Generated Traffic Assessment & Movement Strategy PGP-1663-01-TS-001)
 - Ambulant Accessibility Strategy (P21469-00-001-GIL-0708-00)
 - Geotechnical – Site Investigation – Factual Report On Site Investigation
 - Phase 1 Geotechnical Site Investigation
 - Phase 2 Geotechnical Site Investigation

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.

2. All crossing points of the road shall be constructed to LTN 1/20.

Reason – In the interests of inclusive design and to facilitate active travel.

3. No development shall commence until:
 - a) a scheme of intrusive investigations has been carried out on site where the proposed loop road meets the existing access road within the area hatched orange on Figure 1.4 on page 4 of the Phase II Ground Investigation Report (PDF-CDL-XX-XX-RP-GE-60203) 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 made safe and stable for the development proposed.

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

Reason: To fully establish the presence and / or otherwise of any coal mining legacy affecting the application site and policy CLP14.

Notes

1. If work is carried out other than in complete accordance with the approved plans, the whole development may be rendered unauthorised, as it will not have the benefit of the original planning permission. Any proposed amendments to that which is approved will require the submission of a further planning application.