

PARISH Pleasley

APPLICATION Residential development comprising up to 23 dwellings with associated physical infrastructure, access, parking, public realm and landscape proposals (renewal of previous planning permission)

LOCATION Land To The East Of Pleasley Pit Trust And South Of Bank Villa Pit Lane Pleasley

APPLICANT Homes and Communities Agency

APPLICATION NO. 16/00348/OUT **FILE NO.** PP-05332823

CASE OFFICER Mr T Ball

DATE RECEIVED 19th July 2016

DELEGATED APPLICATION REFERRED TO COMMITTEE BY: Planning Manager
REASON: In view of the consultation comments of Derbyshire County Council as local education authority.

SITE

Part of the former Pleasley Colliery located to the south-east of the pithead buildings (the winding house, chimney and headstocks) which are grade II listed buildings and designated an Ancient Monument. The pit head buildings have been the subject of a significant programme of restoration and are open to the public. The former colliery land beyond has been restored to a country park.

Along Pit Lane, the access to the site, on its northern side are individual dwellings (two storey, mainly red brick with concrete or artificial slate roof tiles) in spacious grounds. Across Pit Lane on its southern side is a former railway now the Teversal Trail with the main part of Pleasley Village beyond, including immediately across the trail from the application site is the Pleasley Miners Welfare Cricket Ground.

This grassland site gradually rises to the western corner with established native hedgerow boundary planting to the northern boundary. To the northern corner the site is 'dug in' to the pit head plateau with the embankment planted with well established native trees and shrubs around a pedestrian ramp giving access to the Pit Head buildings area.

The site is served by new access roads: along the northern side giving access to adjacent dwellings and with a spur into the site, along the southern and western sides giving access to a public car park for the Country Park and to the pit head building complex. A definitive footpath from Pit Lane passes alongside this road and continues to New Terrace in the south west.

PROPOSAL

Outline planning application for residential development for up to 23 dwellings on 0.96ha site. All matters reserved for future approval (access, appearance, landscaping, layout and scale). Utilises existing access off Pit Lane which provides access to the site and to the Pit Head/Country Park car park.

Application accompanied by the following documents:

Design & Access Statement;
Coal Mining risk Assessment;
Contaminated Lane Study: Completion Report;
Conservation Management Plan for the pit complex;
Preliminary Ecological Appraisal;
Arboricultural Report;
Illustrative Masterplan.

AMENDMENTS

25.08.16 Design principles note by ARUP

14.09.16 Detailed confidential letter explaining the situation with the development and disposal of this site accompanied by an Asset Valuation report dated 31 March 2016. "Should the authority seek S106 contributions, it is likely that the site will no longer be viable to deliver even via this flexible disposal route and an opportunity will be missed for the authority to generate New Homes Bonus and to see housing delivered on this unique site". The flexible disposal route involves deferred land payment terms.

10.11.16 Response to DWT comments. Further reptile survey to be submitted. It has already been agreed with BDC that the illustrative plan provides an indication of how 23 units may be provided on the site but does not provide the preferred approach for taking forward the reserved matters design. Existing planting on the northern edge of the site is shown on the application as being retained. The overall landscape approach will be determined as part of the reserved matters application. Significant ecological enhancements have already been provided in the vicinity of the site by the applicant and predecessor organisations (over £7m investment to reclaim the colliery and convert to a Country Park) further offsite compensation is not considered reasonable. The concept of a Landscape and Ecological Mitigation and Management Plan and the proposed management prescriptions are not appropriate for a housing development and are commensurate with the management of a nature conservation site. It is recommended, in keeping with the scale of the development, that an overarching strategy to manage the development as sympathetically as possible to ensure ecological permeability within the development be a key focus. This can include provision for a reptile mitigation strategy, all of which can be achieved within a Reserved Matters application as part of an overall Landscape Strategy.

10.11.16 Reptile Survey, which identified a single dead adult female grass snake. Proposes a mitigation strategy to exclude any grass snake from the site. The site does not contain any features suitable for hibernation it is only used for movement and potentially limited foraging.

HISTORY

04/00698/FULMAJ: Site remediation and groundworks, construction of access road, footpaths, car park, fencing and installation of services. (Phase 1) Approved December 2004.
12/00505/OUTMAJ: Residential development comprising up to 23 dwellings with associated physical infrastructure, access, parking, public realm and landscape proposals (all matters reserved). Granted conditionally 20.09.13.

CONSULTATIONS

Housing Strategy: Under the threshold for affordable housing provision. 11.08.16

Coal Authority: The Coal Mining Risk Assessment submitted acknowledges that there is a fault or line of weakness/fissure affecting the site. The report states that during the preliminary ground preparation works in 2006 the entire area of residential development was stripped to expose bedrock with all identified fissures being capped with a reinforced concrete strip. The Coal Authority considers that the information submitted to support the outline planning application is acceptable. Request that a condition should require the following to support the reserved matters submission:

- As part of the reserved matters application the submission of the details of the findings of the excavations on site which located the fissures and details of the remedial works carried out on site, as indicated in the Coal Mining Risk Assessment;
- As part of the reserved matters application the submission of a layout plan which identifies suitable 'no-build' zones in the area of the fissure. 18.08.16

Pleasley Parish Council: No objections. 18.08.16

Severn Trent Water: No objection subject to condition requiring drainage plans and note re public sewer located within the application site. 19.08.16

Local Highway Authority (DCC): No objections in principle. Layout should comply with the 6 C's design guide. Recommends conditions which are relevant to consideration of reserved matters application and therefore not appropriate for this outline application. 17.08.16

Historic England: This application is in essence identical with that we responded to in our letter of 15th February 2013. Pleasley Colliery is a Scheduled Monument designated on the basis of its national archaeological importance. Recommend that the application is determined in line with national and local planning policy and guidance and that the local planning authority seeks through the planning process to secure a design and build solution which supports key views through the site to the scheduled monument from Pit Lane, minimising potential conflict with the future sustainable management of the monument by the Pit Trust and working with local partners to ensure that key elements of existing vegetation screening and new open space created are where possible placed in single local sustainable management rather than fragmented between residential occupiers. 21.08.16

Additional comment following receipt of additional information: confirm that the design note reflects our discussions and is a sound framework to inform design options, this is the document anticipated in our recent planning response on this case and hence we have no additional comments. 26.08.16

Derby and Derbyshire Development Control Archaeologist: The proposal area lies approximately 45m south-east of the standing remains of Pleasley Colliery, a Scheduled Monument (SM 21660), and lies within the Derbyshire Historic Environment Record site (HER 12019) corresponding to the wider historic colliery site. The area around the colliery has been subject to substantial remediation in 2006 and no remains of colliery activity are presently visible on the proposal site. In relation to the visual impacts of the development on the Scheduled Monument, note and support the comments of Historic England regarding the

desirability of retaining views of the colliery buildings from Pit Lane when the detailed layout of the development is planned. Historic mapping suggests that some peripheral buildings associated with the colliery were present on the application site. Given the remediation of the site in 2006 and the likely levels of ground disturbance, it appears unlikely that any archaeological remains would have survived undisturbed. In light of these observations therefore recommend on balance that there is no need to place an archaeological requirement upon the applicant. 23.08.16

Economic Development (BDC): No specific comments. 23.08.16

Strategic Infrastructure (DCC): Requests £51,528.51 for 3 secondary places at Shirebrook Academy. Adequate primary school capacity at the normal area school (Anthony Bek Community Primary School). Development of 23 dwellings likely to generate 3 secondary pupils. Normal area secondary school (Shirebrook Academy) taking account of other recently approved major residential developments would result in the school being over capacity. There would be a need to mitigate the impact of the development on school places to make the development acceptable in planning terms. A contribution of the stated amount is therefore requested. This would be pooled with four other planning obligations to help deliver "Shirebrook Academy Project A: Additional teaching space". 24.08.16

Further comments following discussion with applicant: - See Assessment 18.10.16

Derbyshire Wildlife Trust: The extended phase 1 survey identified the site to comprise semi-improved grassland, species rich hedgerows, mixed woodland plantation and hard standing. Hedgerows present on the site meet the definition as a Habitat of Principal Importance. Expect to see further survey work (reptile surveys) and revised master plan to address concerns in full prior to the determination of the application. The findings of the additional work could have a bearing on the type, scale and layout of any development within this site as well as the range of measures that may be required to address biodiversity concerns. Concerns: some of the identified woodland is to be cleared (preferable to retain and/or compensatory planting); all hedgerows should be retained; all grassland will be lost with no mitigation; site assessed as suitable for reptiles, submitted report recommends additional surveys, application should not be determined until such surveys are received; ecology survey provides mitigation for butterfly species but this is not shown on the masterplan. Concurs with ecology report requiring pre-commencement survey for badgers, preparation of Construction Environmental Management Plan (provides detail of content).

Also recommends a condition requiring a Landscape and Ecological Mitigation and Management Plan for all retained habitats. 31.08.16

Further comments following receipt of reptile survey: The additional ecological survey work has confirmed the presence of a low population of grass snake which is on the list of Species of Principal Importance and as such the planning process should take steps to protect and promote the recovery of such species. Preferably mitigation will be provided onsite, with sufficient buffer for the species. The reptile report recommends off site receptor sites could be utilised. However the receptor site should be agreed before submitting the planning application because it forms a key element of the mitigation plan. In such circumstances the written agreement of the owner of such sites should be provided. Recommends a condition requiring further details also covering issues previously raised. Also express concerns that gully pots in new roads form traps for mammals and reptiles, roads should be designed to

minimise such risks. 22.11.16

Senior Urban Design Officer: No objection subject to conditions.

The *Land at Pleasley Pit: Design Principles* document identifies key viewpoints and relationships to edges. The position of parking, garaging and bin stores is also to be discretely located to avoid detrimental impacts on street scenes. The SE corner position requires landscape design to create a formal entrance point with views maintained through to the monument behind by dwellings arranged to frame the view.

It is recommended that the additional design principles document is conditioned to form part of any approval of outline planning permission and an advice note added advising applicant/developers of the need to design proposals in accordance with the contents of the document. In addition, the original Design Concept Diagram and supporting design principles remain valid and were previously conditioned as part of the approved outline permission and should be included on any new permission. 09.09.16

Flood Risk Management (DCC): Can only give informal comments as a renewal of permission. 14.09.16

No responses received from: Environmental Health; Leisure; Conservation; Mansfield DC.

PUBLICITY

Advertised in press. Site notice posted, 5 neighbours notified.

No responses received.

POLICY

National Planning Policy Framework

Planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material consideration with a presumption in favour of sustainable development. As the Bolsover District Local Plan was adopted prior to 2004 due weight should be given to its policies according to their degree of consistency with the NPPF.

Core principles of the NPPF include seeking to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings; encourage the effective use of land by reusing land that has been previously developed; promote mixed use developments, and conserve heritage assets in a manner appropriate to their significance, all within a presumption in favour of sustainable development.

Local Plan

Bolsover District Local Plan (BDLP) identifies the site as a non-industrial employment site within the settlement framework where general urban area policies apply, of particular relevance will be policies:

GEN 1 – Minimum requirements for development

GEN 2 - Impact of development on the environment

EMP 6 – Non-Industrial Employment Sites

HOU 5 – Outdoor Recreation and Play Space Provision for new housing
Developments

HOU6 – Affordable Housing

CON 10 – Development affecting the setting of Listed Buildings

CON 13 – Archaeological sites and Ancient monuments

Emerging Local Plan for Bolsover District (Consultation Draft) published October 2016 retains the site within the settlement framework without the non-industrial employment site status. However due to the early stage of the local plan, little weight can be given to its policies although it shows a direction of travel for policy.

Other

Interim Supplementary Planning Document: Successful Places, a Guide to Sustainable Housing Layout and Design (2013) provides guidance to help provide places that enhance the quality of life.

ASSESSMENT

The application seeks outline permission for residential development of up to 23 dwellings, with all matters reserved. Permission was previously approved for outline permission for residential development in 2013 (ref. 12/00505/OUTMAJ). The current application essentially seeks to renew the previously approved scheme. The application is supported by the similar documentation as was provided with the previous application with an updated ecological appraisal and subsequent reptile survey.

Principle of Development:

The adopted Local Plan (Bolsover District Local Plan) allocates the Pleasley Colliery site for 'non-industrial employment uses'. As part of the preparation of the (now withdrawn) Bolsover District Local Plan Strategy the Planning Committee agreed that the site would be 'de-allocated'. This has been carried forward into the Consultation draft of the Local Plan for Bolsover District (Oct 2010). The site remains within the settlement framework. However the proposal accords with the policies of the National Planning Policy Framework, subject to its impact on heritage assets, as it involves development on previously developed land, is well located being within the settlement framework and close to good transport connections, and forms part of a mixed use area with the heritage/tourist/countryside uses on the remaining former colliery area. Employment uses are no longer considered appropriate due to this leisure use context and the adjoining residential area along Pit Lane, the access to the site.

As the proposal complies with the general principles of the National Planning Policy Framework and the emerging Local Plan the principle of residential development is considered acceptable.

Impact on Heritage Assets/Design:

As part of the regeneration of the Pleasley Colliery site as a nationally important heritage site and tourist /leisure destination, the principle of some residential development has been accepted and established for some time, particularly in the Conservation Management Plan for the site.

The major concern of the heritage bodies is to ensure that its impact does not affect the significance of the heritage asset particularly in views to and from the site, especially on the approach to the site. Sightlines through the development, heights of buildings and materials

of construction are all critical to ensure impact on the setting is minimised.

In heritage terms the concept of a mixed use on the site is acceptable and is seen to bring benefits for example in respect of security to otherwise relatively isolated colliery buildings. An appropriate design code is critical to the scheme to ensure that impact on the setting of the heritage asset is minimised.

The site previously contained buildings, all now demolished. New development on the site will have an impact on the current openness of the site in the setting of the Listed Building and the SAM. However with careful design including use of suitable materials and control over heights and massing of buildings it is considered that the setting of the colliery site will be preserved.

A meeting was held between the applicant/agent (HCA/ARUP), Historic England and the BDC officers in August 2016. During a site visit, key views towards the pit buildings from Pit Lane were agreed, together with a number of other principles, which have since been enshrined in an additional supporting document (Land at Pleasley Pit: Design Principles, dated 15th August 2015) and submitted by the agent. These principles can be referred to in a condition.

The application includes a Design & Access Statement. This includes a Development Framework Plan and Design Concept drawing which provide a largely sound basis for the broad layout principles of the development. However the Masterplan for the development of the site does not follow through these design concepts which is accepted by the Design Principles document.

Subject to conditions relating to the design principles the proposal complies with the policies of the NPPF and the policies of the adopted Local Plan which seek to preserve or enhance the setting of Listed Buildings.

Wildlife

In considering the concerns of Derbyshire Wildlife Trust it should be taken into account that the site was temporarily seeded following completion of remediation works pending its development for housing. It was also accepted that areas of hedgerow would be lost to access points etc. The woodland on the site is the landscaping planted on the embankment between the development plateau and the pit head area, very little is affected by the development proposals as shown on the development framework plan (which show the retention of this planted area).

In view of the findings of the reptile survey it is considered that the requested conditions regarding the survey/capture/exclusion of reptiles prior to and during construction are reasonable. It is not considered reasonable to require the translocation of grassland habitat found on the site in view of its temporary nature pending development, the adjoining restored colliery areas and the conclusion that grass snakes probably only use the site for transit to other areas.

Highway Issues

The local highway authority has no objection to the development on highway safety grounds subject to conditions outlined in their consultation response. However these conditions relate

to matters of detail following approval of a detailed layout and are not therefore relevant to the present outline application.

Contamination

The applicant has submitted details of a reclamation completion report which has previously been agreed by the Council in the discharge of conditions on the planning permission for the reclamation of the site. This took into account the potential for this area of the site to be developed for residential purposes. The previous application included a copy of the NHBC Certificate of Land Quality Endorsement issued in February 2010. It is not therefore considered necessary or reasonable to require a further land contamination investigation.

Viability and S106 Contributions

An issue with the current application is the request from the local education authority (DCC) for an education contribution. With the previous permission for the site DCC requested a contribution to the provision of additional places at Anthony Bek Community Primary School but accepted that with market condition at that time the such contribution may impact on viability to the point where it would not go ahead.

A confidential Asset Valuation report dated 31 March 2016 has been submitted to accompany the application documents. This is based on the previous outline planning permission which did not require any S106 contributions. The value of the land has been diminishing over time. The applicant indicates that because of the low residual value, any S106 requirements would compromise the housing project.

In response to the DCC request for an education contribution the HCA have made the following points:

The public sector has been involved in remediating the wider Pleasley Colliery site since 2000 to secure the regeneration of the area. The intention of the National Coalfields Programme was to deliver a scheme which brought the coalfields site into better use, providing new quality homes, an improved gateway to the existing country park and a new heritage site based around the restoration related to the Scheduled Ancient Monument (SAM). Over £7 million investment has been expended to date to deliver all these objectives with the housing scheme still outstanding.

HCA has been responsible for the site since 2011 and since then has been trying to secure a developer partner to deliver the housing scheme.

The site is located in the difficult market with sale values and demand recovering very slowly post last recession. Both of these factors had an effect on HCA's ability to secure a developer partner for the housing scheme.

HCA advertised the site via its Developer Partner Panel twice without success. In late 2015 HCA carried out detailed development appraisal and marketing report for the site. The conclusion of those studies was that the difference between the local sale values and the estimated development costs was so narrow that the interest from potential developers was likely to be very low, especially given the uncertainties of the ground conditions.

In order to secure exit from the site HCA Board resolved in May 2016 to market the site for sale based on a risk reducing development agreement with deferred land payment terms. This disposal strategy assumes that a developer partner will finance, construct

and sell open market housing on the site.

This flexible disposal approach has been well received by the market with 4 local developers expressing an interest in being HCA's Developer Partner on this site.

Should the authority seek S106 contributions, it is likely that the site will no longer be viable to deliver even via this flexible disposal route and an opportunity will be missed for the authority to generate New Homes Bonus and to see housing delivered on this unique site.

In response DCC has stated the following:

The County Council acknowledges and appreciates the viability difficulties associated with the marketing and development of the Pleasley Colliery scheme. It is noted that the confidential valuation summary states the viability of the scheme is marginal. In assessing the impact of the proposed development on school places, however, and rightly taking account of other approved housing developments in the school catchment area, our conclusion is that the need for an education contribution remains. The County Council has a Statutory Duty to make education provision available for each young person at the school(s) in whose normal area they reside and, therefore, it seeks contributions from applicants or promoters of development sites on all applications for 11 dwellings or more to provide the necessary school places in line with the Government's CIL Regulations. Whilst the County Council supports the delivery of housing on this site, unfortunately it is not in a position where it can fund the necessary additional school places to accommodate pupils generated from the scheme.

In a letter, the applicant highlights that an opportunity would be missed for the District Council to generate New Homes Bonus and to see housing delivered on this unique site. One way forward may be for the District Council to consider using the New Homes Bonus payment it would receive to contribute towards providing the secondary school places needed as a consequence of the proposed housing provided. I should be grateful if you would draw this matter to the attention of your Members when they consider this planning application.

The education request is not an unreasonable requirement (although not required by development plan policy) but in view of the uncertain viability of the site and the need to enable development in accordance with the principals of the NPPF it is not considered reasonable to require such provision. While the difficult financial position of all involved bodies is recognised it is the County Councils statutory duty to provide education provision (as they acknowledge). The additional properties will generate Council Tax as well as New Homes Bonus which can be utilised according to the relevant Council's budgets, but this is not a material consideration in the determination of the application.

Other Matters

Listed Building: Discussed above.

Conservation Area: n/a

Crime and Disorder: Residential development will improve the security of the colliery buildings and related area by offering passive surveillance.

Equalities:	No issues raised
Access for Disabled:	No issues raised,
Trees (Preservation and Planting):	Discussed above (wildlife section).
SSSI Impacts:	n/a
Biodiversity:	Existing planted embankment to be retained. Further landscaping of the developed site will add further features of interest. There is likely to be some loss of the hedgerow which was planted to the north-eastern boundary as part of the site remediation landscaping proposals pending development of the site.
Human Rights:	No issues raised.

Conclusions

Subject to appropriate conditions to control aspects of design and layout in relation to the impact of the development on the adjacent heritage asset, and the retention of the existing planted areas, the development is considered to be sustainable development in accordance with principles of the National Planning Policy Framework, the general development principles of the adopted Bolsover District Local Plan and the policies of the emerging Bolsover District Local Plan Strategy.

Issues in relation to education provision which could be reasonably required through a S106 planning obligation have been considered but taking account of viability issues and the need for new housing in a sustainable location it is not considered appropriate given the level of development proposed and the benefits to the heritage asset from appropriate development on this site, to require such additional commitments.

The development, subject to suitable controls, preserves the setting of the listed building and the SAM.

Similar conditions as on the previous outline planning permission but modified to reflect the discussion above, are appropriate.

RECOMMENDATION

APPROVE

Subject to conditions:

1. Approval of the details of the layout, scale, appearance, access and landscaping (the 'Reserved Matters') shall be obtained from the Local Planning Authority in writing before any development is commenced. *(To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.)*
2. Application for approval of the Reserved Matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission and the development to which this permission relates shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the Reserved Matters to be approved, whichever is the later. *(To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.)*
3. The Reserved Matters to be submitted in accordance with conditions 1 and 2 above, shall

accord with the document “Land at Pleasley Pit: Design Principles” dated 15 August 2016 (ref 249952-00) by Arup submitted as part of the application documents. In addition The Reserved Matters to be submitted in accordance with conditions 1 and 2 above shall follow the principles of the Development Strategy and Vision Design Concept (as illustrated on P30 of the Design and Access Statement dated October 2012 as submitted with this outline planning application) and the Development Framework Plan (as illustrated on P32 of the Design and Access Statement dated October 2012 as submitted with this outline planning application). *(To ensure the development respects the setting of the adjacent heritage asset and represents good design in compliance with policies GEN2 (Impact of Development on the Environment) and CON10 (Development Affecting the Setting of Listed Buildings) of the Bolsover District Local Plan.)*

4. The existing trees and hedgerows shall not be removed, destroyed, or uprooted other than in accordance with plans and particulars submitted as part of the Reserved Matters required by condition 1 above. The Reserved Matters to be submitted in accordance with conditions 1 and 2 above shall include the following details:
 - a. Details of measures to protect the retained trees, hedgerows and other planting during construction works
 - b. Details of mitigation measures in response to the loss of hedgerows and planted areas as a result of the development. *(To retain these features of ecological and visual interest and provide compensatory planting as necessary in compliance with policies GEN2 (Impact of Development on the Environment) and ENV5 (Nature Conservation Interests throughout the District) of the Bolsover District Local Plan.)*
5. The Reserved Matters to be submitted in accordance with conditions 1 and 2 above shall include
 - a. the submission of the details of the findings of the excavations on site which located the fissures and details of the remedial works carried out on site, as indicated in the submitted Coal Mining Risk Assessment dated October 2012 by William Saunders Partnership Ltd;
 - b. the submission of a layout plan which identifies suitable ‘no-build’ zones in the area of the fissure. *(In accordance with the requirements of the Coal Authority to ensure the coalmining legacy of the site is fully considered in the interest of ground stability and the safety of the public and occupiers of the site and in compliance with policies GEN1 and GEN2 of the Bolsover District Local Plan.)*
6. The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use. *(Reason: Condition requested by STW to ensure that the development is provided with a satisfactory means of drainage as well as reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution and in compliance with policies GEN2 (Impact of Development on the Environment), GEN5 (Land Drainage) and GEN6 (Sewerage and Sewage Disposal) of the Bolsover District Local Plan.)*

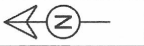
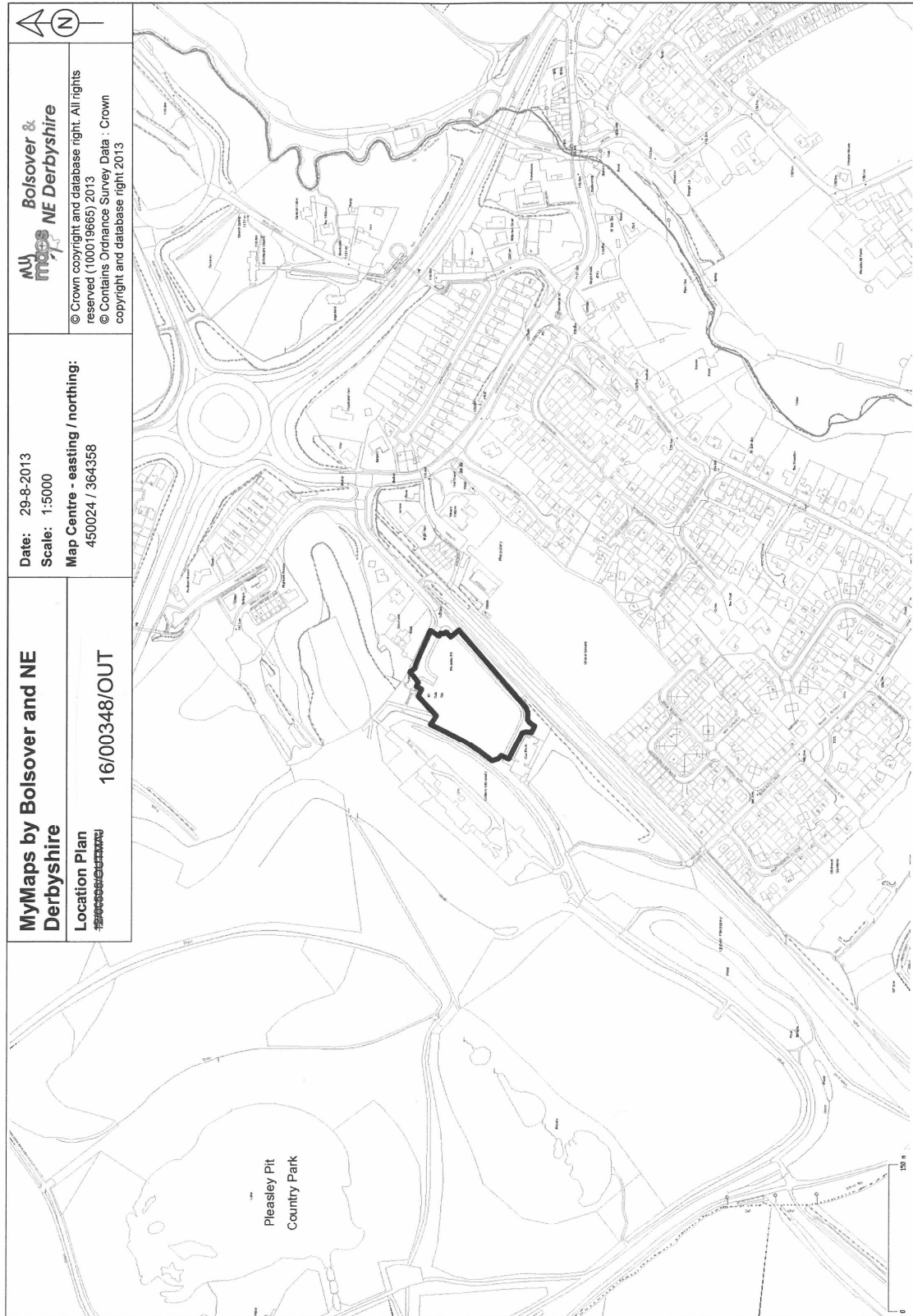
7. The Reserved Matters to be submitted in accordance with conditions 1 and 2 above shall include a reptile mitigation strategy detailing how harm to reptiles would be avoided by the deployment of a survey/capture and exclusion exercise for the development site prior to any development works commencing and during the construction period. (*The site has the potential to be used by grass snakes a protected species and included on the list of Species of Principal Importance and in compliance with policies GEN2 (Impact of Development on the Environment) and ENV5 (Nature Conservation Interests throughout the District) of the Bolsover District Local Plan.*)

Notes to Applicant:

1. It should be noted that the Illustrative Masterplan submitted as part of the Design and Access Statement does not adequately address the design and layout issues discussed in the Statement, in particular the Development Strategy and Vision Design Concept (as illustrated on P30 of the Design and Access Statement dated October 2012 as submitted with this outline planning application) and the Development Framework Plan (as illustrated on P31 of the Design and Access Statement dated October 2012 as submitted with this outline planning application). In addition other aspects of the Design and Access Statement are considered to be too broad in their parameters to give certainty of impact on the adjacent heritage asset. Close attention should be paid to the Design Principles document referred to in condition 3 above.
2. Severn Trent Water advises that there is a public sewer located within the application site. Public sewers have statutory protection by virtue of the Water Industry Act 1991 as amended by the Water Act 2003 and you may not build close to, directly over or divert a public sewer without consent. You are advised to contact Severn Trent Water to discuss your proposals. Severn Trent Water will seek to assist you in obtaining a solution which protects both the public sewer and the proposed development.

Statement of Decision Process

Discussions have taken place with the applicant to clarify aspects of the proposal particularly in relation to comments from consultees. The proposal complies with the policies and guidelines adopted by the Council and the decision is therefore made in accordance with policies 186 and 187 of the National Planning Policy Framework.



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Location Plan
 #16/00348/OUT

Pleasley Pit
 Country Park

0 100 ft