

**STATEMENT FOLLOWING FINAL DECISION PURSUANT TO REGULATION
30(1)(D) OF THE TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT
ASSESSMENT) REGULATIONS 2017 (“EIA REGULATIONS”)**

Planning application code ref. 17/00640/OUT:

Outline Planning Application with All Matters Reserved for mixed use development including up to 24ha of employment land (E(g) i, ii and iii, B2, B8), upto 1800 residential dwellings, green infrastructure, educational and recreational uses, a retirement village, neighbourhood centre, hotel, restaurant, health and care, and leisure uses, demolition of existing Station Road Industrial Estate where applicable, demolition of dwelling/outbuilding as applicable, and construction of new link road with in-principle points of access at Land North Of Clowne Including Section Of Town Centre, Hickinwood Lane, Clowne

All documents referred to in this Statement have been uploaded to the planning register.

This application has been **APPROVED** following the decision of Bolsover District Council's Planning Committee on 17 September 2024.

In accordance with Regulation 30(1)(d) of the EIA Regulations the Council makes the following statement:

The main reasons and considerations on which the decision is based including, if relevant, information about the participation of the public

The main reasons for the recommendation for approval of the application are set out on pages 90 and 91 of the Officer's Report.

975 public representations were received during consultation carried out in 2017/2018. Re-consultation was carried out in 2023/2024 and close to 300 representations were received. Three public consultation sessions were carried out in May and June 2023. Page 5 of the Committee Meeting minutes details representations made by the public at the Planning Committee Meeting on 17 September 2023.

A summary of the results of the consultations undertaken, and information gathered in respect of the application and how those results have been incorporated or otherwise addressed

The Officer's report details consultation responses and representations that were received between May 2023 and April 2024, details of consultation carried out in 2017/18 is contained in Appendix 1 to the Officer's Report. The supplemental Officer's Report for the 17 September 2023 Committee Meeting also contains additional details of consultation responses received.

The reasoned conclusion of the Council on the significant effects of the development on the environment, taking into account the results of the examination referred to in regulation 26(1)(a) and (b)

All elements of the EIA are considered and responded to in the Officer's report including:

- Transport (including Air Quality and Noise) (see page 64 & 79 & 81);

- Landscape and Visual Impacts (see page 48);
- Cultural Heritage and Archaeology (see page 50);
- Biodiversity (see page 39); and
- Socioeconomic Impacts.

Any conditions to which the decision is subject which relate to the likely significant environmental effects of the development on the environment

A full list of conditions is set out on pages 8 to 21 of the Planning Committee Minutes. In particular, conditions 15, 16, 17, and 19 relate to controlling the effect of the development on the environment.

A description of any features of the development and any measures envisaged in order to avoid, prevent, reduce and, if possible, offset, likely significant adverse effects on the environment

As an outline application, much of the design and layout will come forward through reserve matter applications. This includes various environmental aspects including noise mitigation, lighting impacts on residential amenity, the retention of the trees and hedgerows and the provision of green space. (Conditions include 2, 3, 5, 6, 15, 18, 19, 20, 21, 22, 23, and 24).

The draft Section 106 Agreement sets out the provision of educational and health facilities to meet the needs arising from the proposed development. Condition 36 requires an Employment Scheme which is intended to enhance employment and training opportunities from the development.

The proposed highways provision and mitigation measures, including to the M1 Junction 30 and the Treble Bob roundabout, provide for the management and construction of the required road infrastructure improvements. Active travel plans are required. (Conditions include 2, 3, 4, 5, 6, 15, 25, 26, 27, 28, 29, 30, and 31).

A Flood Risk Assessment includes the appropriate allowances for climate change and drainage strategies provide for sustainable drainage systems. In addition, conditions reflect the requirement for green infrastructure and sustainable transport, which will have a direct role to play in adapting to and mitigating the impacts of climate change. (Conditions include 2, 6, 10, 11, 12, 13, 14, 15, and 31).

Conditions include measures to managing each stage of construction in terms of remediation and controls to prevent the potential for causing environmental harm arising from contamination. Within defined Coal Mining Risk Zones site investigation, including gas monitoring, are required together with any remedial works necessary. (Conditions include 2, 7, 8, and 15).

A large part of the site comprises arable land and improved and poor semi-improved grassland which are of negligible ecological value. The Environmental Impact Assessment identifies the most valuable habitat would be retained as part of the green infrastructure. The Scheme is anticipated to deliver a significant level of biodiversity net gain on site including new habitat. (Conditions include 2, 6, 15, 16, 17, 19, 34, and 41).

In terms of landscape it is acknowledged that there will be adverse impacts in the early stages of the post development stage. However, this impact will be reduced in the longer term as the landscape and green infrastructure matures.

The scheme will impact on heritage assets but the public benefits associated with the development are significant, and when they are considered together cumulatively, they outweigh the 'less than substantial harm' identified in relation to heritage assets. However, impact on specific heritage assets will be considered as part of detail development proposals submitted at reserved matters stage. In relation to archaeology, there is a requirement for appropriate investigations to be undertaken and the findings recorded and reported. (Conditions relating to this aspect include 9 and 40).

Any monitoring measures considered appropriate by the relevant planning authority or the Secretary of State, as the case may be

No monitoring measures are considered necessary by the Local Planning Authority in respect of the environmental effects, other than in relation to biodiversity and ecological management and the effectiveness of travel plans and strategies.

information regarding the right to challenge the validity of the decision and the procedures for doing so

There is a legal right for an interested third party to challenge the determination of a planning application on public law grounds. An application can be made to High Court for Judicial review of the decision to grant planning permission. This application to the High Court must usually be made within 6 weeks of the decision being made.