Bolsover District Council

Local Plan Examination in Public

Hearing Statement

Matter 2, Issue 7, Employment, Coalite Priority Regeneration Area (SS7), on Behalf of Bolsover Land Ltd

Representor Reference 4539

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1 Introduction

1.1 This Hearing Statement has been prepared on behalf of Bolsover Land Ltd, a JV between iSec (a Marcol Company) and St Francis Grp. Bolsover Land Ltd is the sole owner of the site.

The Site & Permissions

1.2 The site, known as the former Coalite site, comprises of circa 61ha of predominantly brownfield land which crosses both the North East Derbyshire Council (NEDDC) and Bolsover District Council (BDC) Local Authority (LA) boundaries. A site location plan indicating the LA split is referred to as Plan One.

1.3 We have secured two planning permissions for the redevelopment of the site, both of which remain extant and cover separate parts of the site:

- 14/00089/OUTEA (subsequently varied under 17/00395/VAR) - outline planning permission for general industrial (B2) uses, warehousing (B8) uses, energy centre, transport hub, open storage and museum/visitor centre with details of access on 23rd December 2015 – on land which falls within Bolsover District Council
- 14/00145/OL - outline permission for a 660 dwelling scheme with associated ancillary uses, including a local centre, a neighbourhood equipped areas of play (LEAP), a riverside park, a local habitat area, two SUDS footpaths, walkways, cycle paths and landscaping with details of access on 30th October 2016 – on land which falls within NEDDC

Local Plan Engagement

1.4 We have engaged with the Council throughout the Local Plan process having submitted the following representations:

- Publication Local Plan, May 2018 – prepared and submitted by iSec on 15 June 2018. The comments included in these representations remain valid.

1.5 We received a draft Statement of Common Ground (SOCG) from the Council on 20 December 2018. If this can be agreed and signed in advance of the EiP it may supersede some of the comments in this Statement. Due to time constraints we have not been able to finalise this in advance of the deadline for Hearing Statements.
**HS2 Impacts**

1.6 Since the granting of the above planning permissions, the proposed HS2 route has been safeguarded and significantly impacts on the NEDDC part of the site. A plan demonstrating the impact is referred to as Plan Two. We are therefore revising the masterplan for the NEDDC part of the site only, this will now comprise of B2/B8 uses. Whilst the HS2 safeguarded route does cover part of the BDC site, the permission can still be implemented, and we have agreed detailed design layouts with HS2 in writing which allow the safeguarded route needed for the railway line and associated infrastructure to be maintained alongside the proposed development.

**Programme Update**

1.7 Since we submitted representations in June 2018, our timescales for delivery of the BDC part of the site remain broadly the same:

- Phase One of BDC (Plots 6, 7, 8) – this part of the site has been remediation and a detailed planning application is expected to be submitted in Feb/March 2019, for circa 38,000 sqm (circa 410,000sqft) across three units. We expect this development to commence on site by Autumn 2019. An application to vary the original consent to allow this phase of development to commence whilst remediation of the remainder of the BDC site is ongoing is currently with the Council for determination 18/00524/VAR).

- Phase Two – Plot 4 – remediation is due to start early in 2019 (upon receipt of the EA Permit), a detailed application is expected to be submitted for Plot 4 in April 2019 for circa 38,000sqm (circa 410,000sqft) across two units. We expect development to commence on this phase in 2020.

1.8 It should also be noted that a Design Framework has now been approved by the Council (ref. 18/00002/DISCON ); this was a condition on the BDC outline permission, and the above applications will be in accordance with this document.

1.9 In respect of the NEDDC part of the site, as referred to above, a revised scheme is being drawn up to address the impact of HS2 which has rendered the residential consent undeliverable. The new scheme will comprise of B2/B8 uses and will be submitted in the Spring of 2019. Remediation on the brownfield part of this site is expected to take place in mid-2019 (similar to the BDC land, this is currently subject to an EA permit application).
1.10 Due to the evolving nature of the project and the complexities regarding the two planning permissions, we have requested to attend the relevant EiP session to clarify any outstanding queries or new issues which may arise over the course of the EiP in respect of the site.

2 Matter 2, Issue 7: Employment Strategic Allocations, Coalite Priority Regeneration Area (Policy WC1), Q.136 – Q.141

2.1 Set out below is our response to the MIQ set out by the Inspector in relation to Matter 2, Issue 7, and more
specifically the former Coalite site.

Q. 136. Is Policy SS7 sound given that it refers to an ‘approved masterplan for the site or any subsequent approved document’? Should the policy clearly set out the requirements for the development of this site?

2.2 As per our previous representations, we do not believe that a revised masterplan is required for the BDC part of the site. An outline permission is in existence and a detailed Design Framework has been approved as part of this, which will inform future applications for the site (either in the form of Reserved Matters or new Full applications).

2.3 The Policy could refer to the likely uses and quantum of development (potentially in terms of ha) already approved as part of the Outline and Design Framework (similar to the approach taken in the NEDDC Local Plan), and this may enhance the effectiveness of the policy and thus soundness.

2.4 We do not consider any further information in terms of the requirements for the development of this site to be necessary; the permissions and Design Formwork provide sufficient clarity on this already.

Q137. Should Policy SS7 set out more clearly the types of development that would be acceptable on this site?

2.5 As stated above, the policy could set out the types of development that would be acceptable, by closely following the Outline consent and approved Design Framework this would provide additional certainty to the Policy. We would suggest the following uses for the 32ha:

- B1 / B2 / B8
- Transport Hub
- Sui generis employment related uses

2.6 We note the Main Modifications (ED5) proposed by the Council refers to a similar schedule.

2.7 Yes, as part of the Outline consent and supporting EIA, and subsequent conditions applications, matters such as flood risk, landscape and biodiversity have been considered in full and informed the Design Framework and detailed schemes to be submitted in the coming months. In addition to this, the proposed policy mechanisms are in place to ensure such matters are dealt with.
Q139. Is the proposed allocation of this site as a Priority Regeneration Area justified and appropriate in terms of the likely impacts of development?

2.8 The proposed allocation of the site as a Priority Regeneration Area could be justified by the fact the site has received some funding from D2N2 and Derbyshire County Council to assist with remediation and infrastructure; the site is therefore considered a local and regional priority for redevelopment and the delivery of subsequent regeneration benefits/impacts (e.g. job creation).

2.9 The remediation of the site has been a longstanding local issue, again suggesting the redevelopment of the site should be considered as a priority for the Local Plan to deliver.

Q. 140 Is the proposed allocation deliverable and/or developable? In particular, is it:
   a. confirmed by the landowner involved as being available for the use proposed?
   b. supported by evidence to demonstrate that safe and appropriate access for vehicles and pedestrians can be provided?
   c. deliverable, having regard to the provision of the necessary infrastructure and services, and any environmental or other constraints?

2.10 Taking the above points in turn:
   
a) The landowner, Bolsover Land Ltd, has confirmed the site is available for development of B2/B8 uses. Part of the site is already remediated, and remediation of the remainder is due to commence in early 2019. We therefore expect the first phase of the development to commence on site later this year, with the following phases following on in 2020.

b) The outline consent secured permission for details of access and therefore demonstrated that safe and appropriate access for vehicles and pedestrians can be provided, it should also be highlighted that this remains the case in light of HS2.

c) The proposed development is deliverable, this has been demonstrated as part of our funding bids with D2N2 and DCC and remains the case regardless of HS2. Remediation work is underway, and work on infrastructure and services will commence this year (a S278 has been submitted). All environmental factors have been agreed as part of the outline consent, and work is ongoing in terms of the remaining conditions. There is no evidence to suggest the site is not deliverable for the proposed development of B2/B8.

The requirement for full reclamation of the site prior to development commencing has now been removed by the Council (within the Proposed Main Modifications) and we welcome this change.
Whilst deliverability is not dependent on this, it does provide some flexibility for early phases of development to at least commence on site. The need for full remediation prior to development was to protect residential amenity on the NEDDC site, this principle should not apply to employment related uses, and the Council has confirmed its agreement. This is also subject to a S73 application as referred to above which the Council is currently determining.

Q141. Should the Former Coalite Works Strategic Regeneration Site [31ha] be allocated for employment given that it benefits from planning permission for employment uses?

2.11 The site could be allocated for employment given the permission is extant and being implemented.

3 Conclusion

3.1 This Hearing Statement reflects the MIQs raised by the Inspector in relation to the former Coalite site and should be read alongside our representations dated 15 June 2018 (as these points still apply). We have
however received a draft SOCG from the Council and if we are in position to finalise that document before the Hearing Session it will be submitted.
Plan One – Site Location Plan / Local Authority Split
Plan Two – HS2 Impact