

Reference (for office use only):



**Chesterfield Borough Council  
Staveley and Rother Valley Area Action Plan  
Consultation Response Form**

**PLEASE RETURN RESPONSES TO CHESTERFIELD BOROUGH  
COUNCIL BY 5PM FRIDAY 8<sup>th</sup> FEBRUARY 2013**

**Your Details**

Name:	Mike Downes
Organisation:	Antony Aspbury Associates
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## **Consultation Response(s)**

Please fill in a separate form for each objective you are responding to.

Which objective are you responding to?

<b>Objective:</b>	Coal Extraction Objectives
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Please provide comments below.

Omnivale Limited are freehold owners of two parcels of land within the centre of the Lagoon Character Area of the Staveley and Rother Valley Corridor Area Action Plan (AAP). These parcels were acquired as part of portfolio from British Coal back in 1996 and extend in total to over 14 hectares.

Development of the Omnivale landholdings within the Lagoon Character Area requires a new road access being secured from the east and /or the west; potentially from the construction of the long safeguarded Chesterfield – Staveley Regeneration route or more likely from an alternative (downgraded) route through the Action Plan area. The availability of vehicular access to the Lagoon Character Area from the east is however proposed to be subsequent to a coal extraction exercise in the Works Road Area which could delay any development start in the Lagoon Character Area.

Omnivale note the alleged economic and remediation benefits of coal extraction in this location, albeit they do question the viability of this particular operation in the wider context of the overall site remediation. In this regard they cautiously support the key objectives for Coal Extraction, and strongly emphasise support for the first objective, namely that

- It should aid and not compromise the delivery of the future regeneration of the site for the proposed mix of uses.

Omnivale are very concerned that any extended delay or inactivity in pursuing minerals extraction in the Works Road Character Area could have a significant knock –on effects in the timing of housing delivering across the whole of the wider AAP, potentially pushing housing delivery within the Lagoon Character Area (as the last proposed phases of development) outside of the Core Strategy Period. They are concerned that the currently stated coal extraction objectives do not set out any proposed timescales for the extraction process and subsequent remediation of the central core of the site to open up the Hall Lane and Lagoon Character Areas respectively for development.

In the absence of any 'deadline' for the completion of the coal extraction process or even any indicated review of the AAP to reconsider the presumption to support the principle of mineral extraction if there is no activity within a stated period, Omnivale are concerned that there is little or no obligation placed upon the relevant landowner to advance an application for the early extraction of coal and subsequent remediation for development and road infrastructure. With the Council's Draft Infrastructure Delivery Plan identifying the involvement of public regeneration agencies and the potential use of CIL and/or Developer Contributions to part fund key infrastructure within a programmed approach it is essential that all the landowners buy into the programme and its development timescales. The Borough Council must ensure therefore the policy is clear that the coal extraction and remediation process is reasonably expedited or the prospect of support for mineral extraction is withdrawn. The 'tool' of compulsory purchase should also be a clearly stated alternative, otherwise the primary objective for coal extraction as set out above is rendered toothless.

Omnivale with Saint Gobain can access the Lagoon Character Area without requiring access across the third party land 'subject' to coal extraction. Thus this area could feasibly be brought forward in the phasing process if delays continue to impact upon the Works Road Area proposed for coal extraction. This option should be explicitly recognised in the AAP as a realistic and deliverable alternative even if it is not the Council's currently preferred approach to the phasing of site development.

The coal extraction and site remediation processes are clearly a central issue in the regeneration of the wider area and Omnivale consider that the AAP as it currently stands does not deal strongly enough with implementation, enforcement, intervention and alternative phasing options that may be necessary to get this site regeneration process up and running.

<b>Signature:</b>	M J DOWNES	<b>Date:</b>	07.02.13
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**PLEASE RETURN THIS FORM BY  
5PM ON FRIDAY 8<sup>th</sup> FEBRUARY 2013 TO:**  
Forward Planning, Chesterfield Borough Council, Town Hall, Rose Hill,  
Chesterfield, S40 1LP or by email to [forward.planning@chesterfield.gov.uk](mailto:forward.planning@chesterfield.gov.uk)