

## PLANNING COMMITTEE – 29<sup>th</sup> July 2025

**Reference Number:** 25/00479/FL

**Application expiry:** 06.08.2025

**Application Type:** FULL

**Proposal Description:** Application for a two-year temporary permission for a waste refuse vehicle hub, conversion of storeroom to welfare facility and new access ramp.

**At:** Pioneer House, Mill Lane, Wingerworth

**For:** NEDDC

**Third Party Reps:** 2 objections

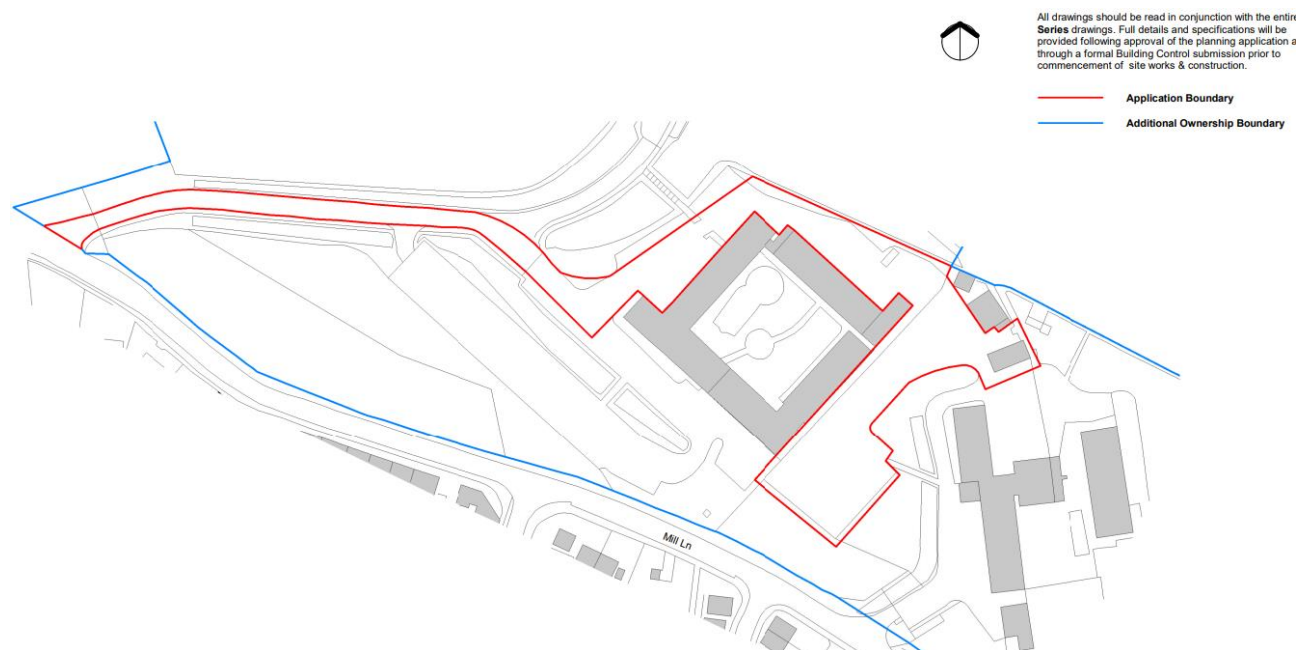
**Parish:** Wingerworth

**Ward:** Tupton

**Report Author:** Phil Slater

**Date of Report:** 9<sup>th</sup> July 2025

**MAIN RECOMMENDATION:** Grant permission, subject to conditions



*Figure 1: Location plan, with site edged in red*

## **1.0 Reason for Report**

- 1.1 This is an application made on behalf of NEDDC and to which objections have been received. Therefore, the application has to be determined by the Planning Committee in accord with the Council's scheme of delegation.

## **2.0 Proposal and Background**

### **Site Description**

- 2.1 The application site comprises the former car park at Pioneer House, Mill Lane. The site lies within the Wingerworth settlement development limits and forms part of the Avenue Strategic Site.

### **Proposal**

- 2.2 This application seeks a temporary permission for two years for the housing of a temporary waste refuse vehicle hub utilising the car park at Pioneer House, which lies to the rear of the NEDDC offices, and the conversion of a small store to for use as welfare facilities for drivers and staff. The site is shown in Figure 1 above.
- 2.3 The proposals would also include the provision of an access ramp at the back of the site between the NEDDC offices and Pioneer House, to create a suitable access point, with vehicles entering and leaving the car park/site via the existing entrance to the NEDDC offices and then utilising the current one-way system. One car park space in the NEDDC car park would be lost to allow space to be provided for vehicles to corner with a new kerb line created.
- 2.4 The car park would be used by 4no 8x4 Dennis Elite Refuse Collection Vehicles (RCV); 1 no 4x2 Dennis Elite RCV; 2no DAF Food Waste collection vehicles; 1 no Isuzu Food Waste Collection Vehicle; 2 no compact sweepers; and 2no Ford Transit pickups. In addition, 22 car parking spaces are to be allocated to accommodate the vehicles of the operating Street Scene team.
- 2.5 The proposals also include a vehicle wheel wash facility adjacent to the proposed welfare facility.
- 2.6 The existing Pioneer House carpark has 61 spaces with 22 being retained for the cars and 12 spaces being created to accommodate the refuse vehicles (See Fig 2 below). The hours of operation would be from 06:15 to 1500 Monday to Friday and 06:15 to 1600 on a Saturday on an ad hoc basis.

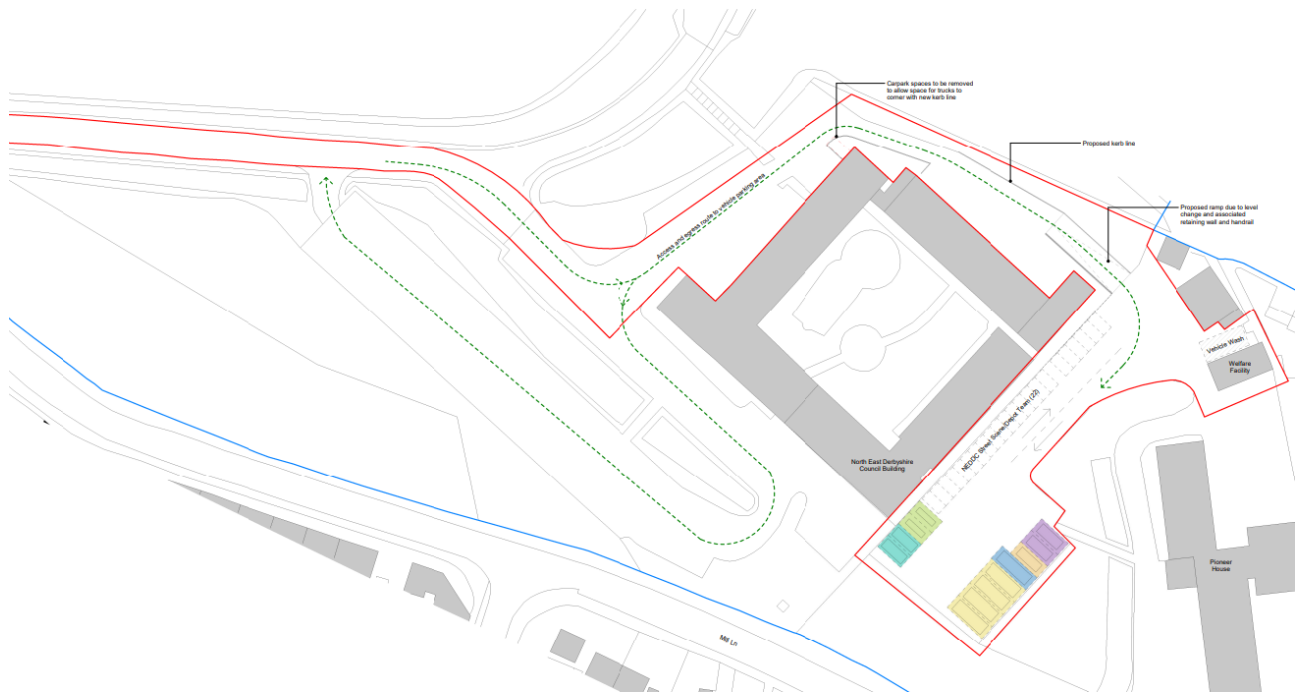


Figure 2: Proposed site plan showing vehicle access and egress

2.7 The application is accompanied by external lighting details, Coal Mining Risk assessment, Bat survey report, Biodiversity net gain exemption and a noise impact assessment.

## Amendments

2.8 An amended external lighting plan has been submitted to address the comments of Derbyshire Wildlife Trust.

2.9 An amended Noise Impact Assessment has been submitted to address the comments of Environmental Health.

### 3.0 Relevant Planning History (not the full site history)

### 3.1 None

## 4.0 Consultation Reponses

4.1 **Ward Members** have raised no comments.

4.2 **Wingerworth Parish Council** have commented that the application does not include a Planning Statement; a Design and Access Statement or Traffic Impact Assessment and without these it is difficult to make a sound judgement. [*Officer Note: these documents are not validation requirements of the Council as the application is not a*

*‘major’ development and have not prevented assessment of the application by any of the statutory consultees.]*

4.3 The Parish Council has raised the following concerns:-

- Refuse vehicles will use the residential roads around the NEDDC offices to avoid queuing traffic on the A61 and cut through Wingerworth. There is particular concern that Adlington Avenue will be used for easier egress onto the A61 and Nottingham Drive to bypass congestion. Without a Traffic Impact Assessment in place it is difficult to know how traffic flows from the hub will be controlled.
- The above concerns will be heightened further should the proposals for a traffic light system at the junction of Mill Lane be approved.
- A hub of this type should be located on an industrial site. Activities on the site and the movement of large vehicles is likely to cause disturbance to local residents and increase road safety hazards.
- The parking bays for the refuse vehicles are close to the boundary of the proposed site and this will have an immediate and adverse impact on the neighbouring properties.
- With proposals to add food waste to refuse collections in the near future, more refuse vehicles will be needed. For this reason, consideration should be given to a larger and more suitable site elsewhere.
- The proposals to reorganise local government make it highly likely that NEDDC will no longer occupy the site in 2-3 years time. Taking this into account, a further application could be submitted to extend the use of the site beyond the temporary 2-year period. It is, therefore, necessary to find a long-term or permanent site now.

4.4 The **Highway Authority** have commented that there is no new access or alterations to the existing access off the public highway. Tracking drawings have been submitted and demonstrate that the proposed refuse vehicles can access and manoeuvre within the site, subject to the removal of two existing car parking spaces.

4.5 The removal of these spaces is acceptable to facilitate the turning requirements of the operational vehicles and a revised internal kerb line has been proposed to assist with vehicle manoeuvrability.

4.6 It is noted that the displaced parking provision from Pioneer House is considered surplus and that the Mill Lane car park can accommodate any overspill. This appears reasonable based on current site use,

4.7 Subject to the above, the temporary use is not expected to result in a material impact on the local highway network. No alterations are proposed to the public highway

4.8 **Environmental Health Officer** (EHO) initially requested further details in respect of the noise impact assessment. A revised Noise Impact Assessment (version 4.0) was submitted on 30 June 2025 and the EHO has confirmed that he is satisfied with

the noise impact assessment and that the proposed acoustic fence should be controlled by condition.

- 4.9 **Yorkshire Water** have not raised an objection and have recommended a condition relating to surface water passing through an oil, petrol and grit interceptor/separator of adequate design.
- 4.10 The **Lead Local Flood Authority (LLFA)** have commented that based on the scale and nature of the proposals there are no formal comments to make. They do comment that, based on the information provided, it is not clear how the site will manage surface water.
- 4.11 The **Derbyshire Wildlife Trust** have commented that the site predominantly comprises hardstanding, with the exception of a small amount of buddleia and boundary trees. The habitat impacts of the proposals are very minor.
- 4.12 DWT have reviewed the Preliminary Bat Roost Assessment report (BSG, June 2025). This assesses the potential for the onsite storeroom to support roosting bats as negligible and no nocturnal survey is required. No evidence of nesting birds was recorded, although there is some limited potential for nesting in the building and buddleia scrub.
- 4.13 DWT have reviewed the BNG Exemption Statement (BSG, 13th June 2025) and are satisfied that the application can claim the de-minimis exemption due to the very limited impacts to onsite habitats.
- 4.14 DWT have reviewed the submitted lighting details and advise that lightspill from the 6 m column luminaires should be further reduced. Currently there is spill to the trees and grassland of up to 5lux and higher in the south. Lightspill to established vegetation should be avoided / minimised to maintain functionality for foraging and commuting bats using the local landscape.
- 4.15 The agent has submitted a revised external lighting strategy dated 27.06.2025 which reduces the light spill to the south and incorporates 2700K as per DWT recommendations. DWT have confirmed that the scheme is now acceptable subject to their recommended conditions.
- 4.16 The **Coal Authority** have commented that the application site falls within the defined Development High Risk Area. The Coal Authority (CA) note the submitted Coal Mining Risk Assessment (9 June 2025 prepared by Geol Consultants Ltd), the content of which recommends intrusive site investigations. However, when considering these particular proposals, on the basis that the proposals constitute an exempt form of development, the CA do not consider that it would be reasonable to ensure the investigations by way of a planning condition and do not object to this planning application.

## 5.0 Representations

5.1 The application was publicised by way of neighbour letters and the display of a site notices.

5.2 2 local residents at the same address have made representations raising the following comments objecting to the proposed development. These are summarised as follows:-

- Traffic and Highway Safety Concerns - will substantially increase heavy vehicle traffic in the area. Refuse collection lorries are large and can pose safety risks, especially in residential or pedestrian-heavy zones. Increased vehicle movements will also likely lead to congestion and pose risks to children, elderly residents, and cyclists.
- Noise and Disturbance - Waste refuse operations typically involve early-morning starts and high noise levels from vehicle engines, reversing alarms, and loading/unloading activities. This would lead to an unacceptable level of disturbance for local residents, particularly during unsociable hours.
- Environmental and Air Quality Impact - Frequent operation of diesel-powered refuse vehicles will contribute to noise and air pollution, which is especially concerning as the site is very close to homes.
- Visual Impact and Land Use Compatibility - The character of the area is not suited to industrial or quasi-industrial use. The appearance of a refuse vehicle hub and its associated infrastructure will be visually intrusive.
- Precedent and Temporary Use Concerns - such developments often become de facto permanent. Granting permission may set a precedent for inappropriate industrial use in this area, potentially paving the way for further applications inconsistent with the local plan and residential character. (*Officer note – this is not a material planning consideration as the application has been submitted for 2 years. Any variation to this would require a new application which would then be considered on its own merits.*)

## 6.0 Relevant Policy and Strategic Context

6.1 The Development Plan comprises the **North East Derbyshire Local Plan 2014-2034 (LP)** and **Wingerworth Neighbourhood Plan (NP)**. The most relevant policies in this case are considered to be as follows:

6.2 The Local Plan:

Policy SS1: Sustainable Development

Policy SS3: The Avenue

Policy SDC4: Biodiversity and Geodiversity

Policy SDC11: Flood Risk and Drainage

Policy SDC12: High Quality Design and Place-Making

Policy SDC13: Environmental Quality

Policy SDC14: Land potentially affected by Contamination or Instability  
Policy ID3: Sustainable Travel

6.3 The Neighbourhood Plan:

Policy W1: Wingerworth Settlement Development Limit  
Policy W12: Design Principles  
Policy W13: Biodiversity  
Policy W17: Highway Safety  
Policy W18: Highway Safety: The A61

6.4 Other Relevant Policy Documents:

The Avenue Area Strategic Framework

**National Planning Policy Framework (NPPF)**

6.5 The overarching aims of the National Planning Policy Framework (NPPF) have been considered in the assessment of this application.

**7.0 Planning Issues**

**Principle of Development**

- 7.1 The site lies within the settlement development limits for Wingerworth as set out in the Development Plan and the application seeks a two year temporary permission for a waste refuse vehicle hub on the current car park at Pioneer House, adjoining the NEDDC offices and taking access from and through that site.
- 7.2 The site forms part of the wider Avenue Strategic Site which allocates the site for mixed use development under policy SS3 of the Local Plan which states that proposals for the comprehensive mixed use development of the site will be guided by the Avenue Area Strategic Framework. However, this document was adopted in October 2013 and does not include land at Pioneer House or the car park, the subject of the application.
- 7.3 Notwithstanding the above, policy SS3 states development will be permitted where it would optimise the use of the site or make best use of land; provide for up to 1100 new homes and provide for a minimum of 4 hectares of additional employment land. The proposals would be for an employment use on what is already an employment site and therefore would accord with the wider aims of policy SS3.
- 7.4 In view of the above, the principle of development is therefore considered to be acceptable and generally in accord with the Development Plan.

## Highway Safety Considerations

- 7.5 The proposals are for the use of the existing Pioneer House car park for the parking and stationing of 12 vehicles comprising 5 refuse collection vehicles; 3 food waste collection vehicles, 2 compact sweepers and 2 ford transit pickups and 22 parking spaces to accommodate the operatives (Figure 2 above). The proposals also include a welfare facility and wheel wash.
- 7.6 Access to the car park is proposed to be taken via the existing entrance to the NEDDC offices at Mill Lane and round the rear of the building with the provision of an access ramp at the site boundary due to the Pioneer House car park being set at a lower level. Vehicles would utilise the existing one way system and the proposals would result in the loss of 1 car parking space at Mill lane to allow for trucks to corner with a new kerb line (see Figure 3 below).

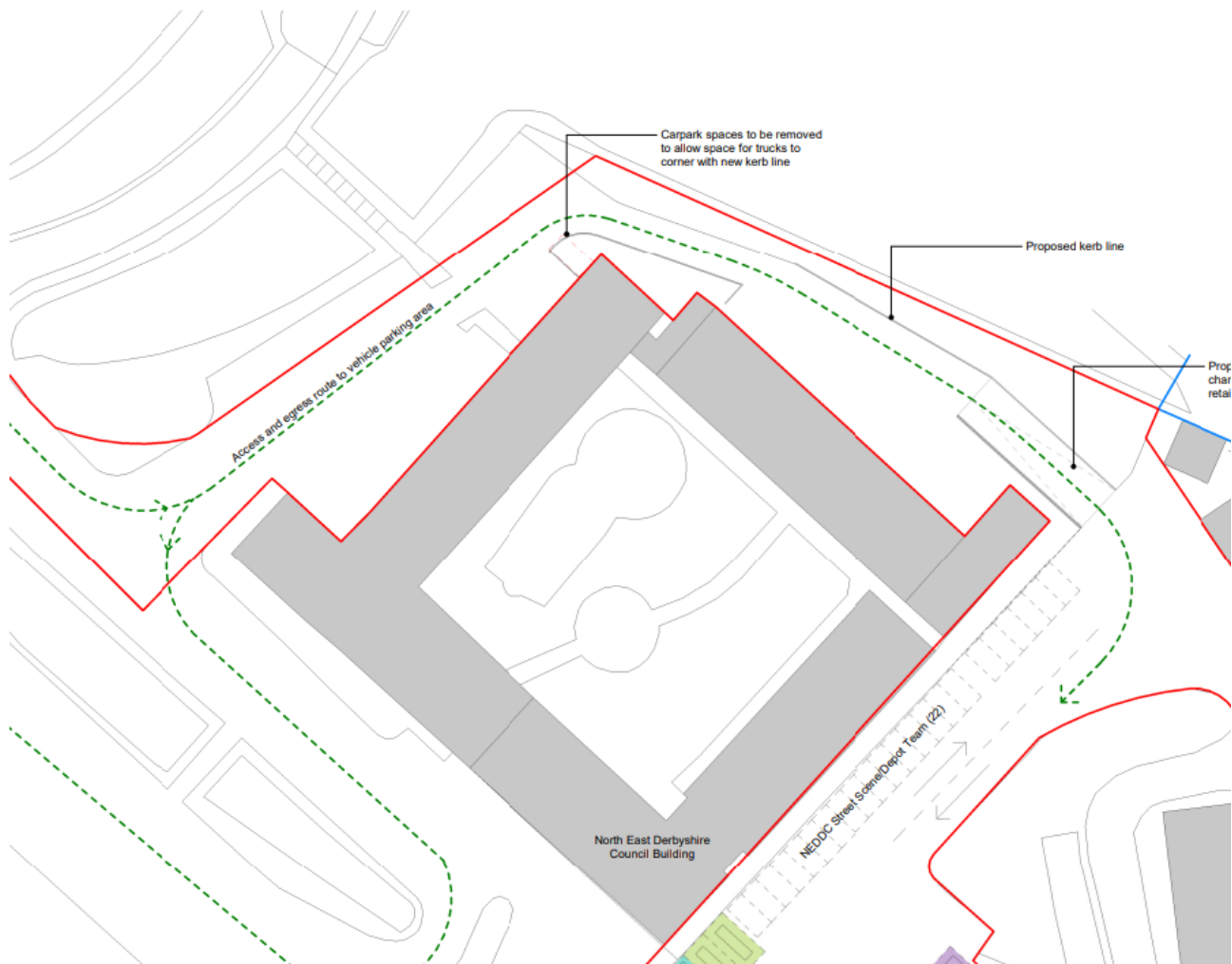


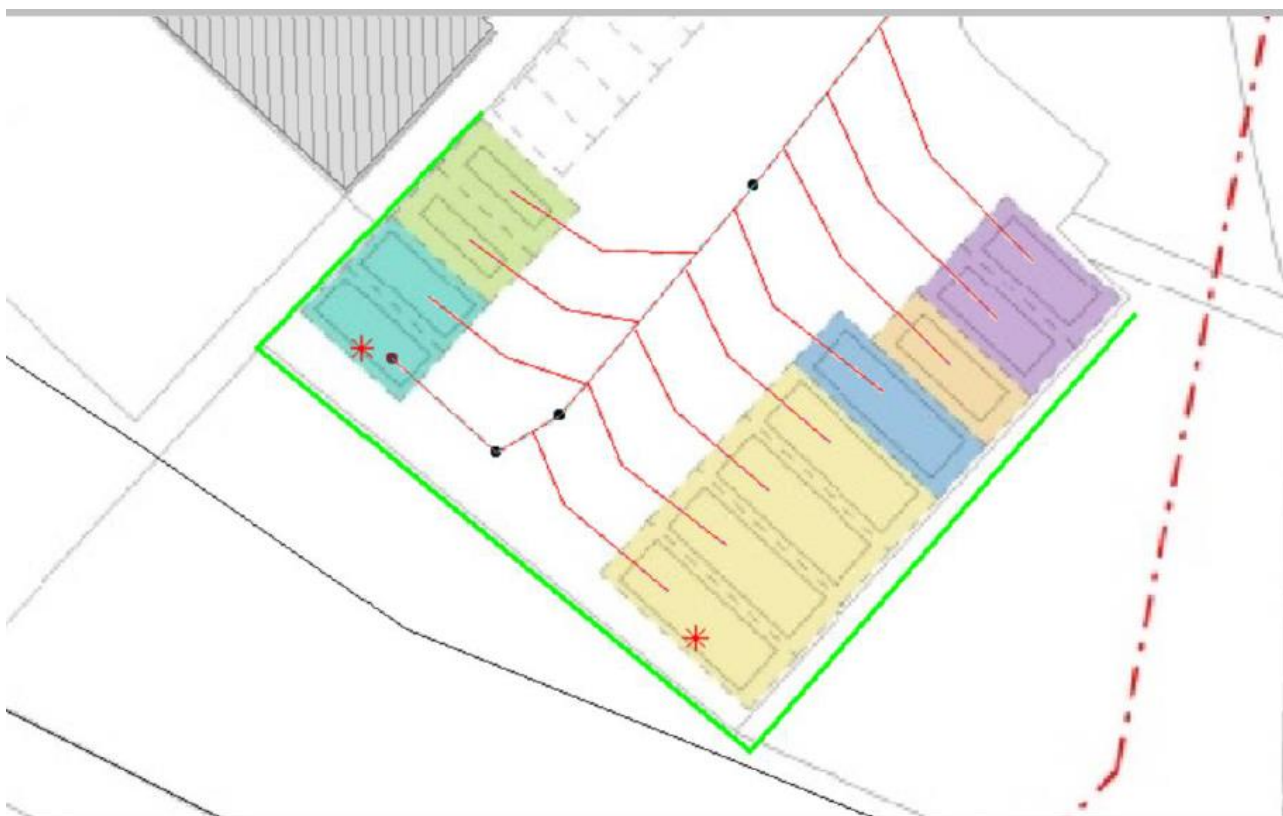
Figure 3: extract showing parking space to be removed and proposed ramp



- 7.7 The Highway Authority have been consulted and have commented this temporary use is not expected to result in a material impact on the local highway. There are no alterations proposed to the existing access off the public highway and tracking drawings have been submitted which demonstrate that the proposed refuse vehicles can access and manoeuvre within the site, subject to the removal of existing car parking spaces.
- 7.8 The removal of these spaces is acceptable to facilitate the turning requirements of the operational vehicle and a revised internal kerb line has been proposed to assist with vehicle manoeuvrability.
- 7.9 It is noted that the displaced parking provision from Pioneer House is considered surplus and that the Mill Lane car park can accommodate any overspill. This appears reasonable based on current site use.
- 7.10 Officers concur with the conclusions of the Highway Authority and take the view that the proposed development would not lead to an unacceptable impact on highway safety and the residual cumulative impact on the wider road network would not be severe.

### **Privacy and Amenity Considerations**

- 7.11 Policy SDC 12 of the Local Plan relates to high quality design and place making and is relevant in that it states proposals should protect the amenity of existing occupiers and create a good quality of amenity for future occupants of land or buildings including in relation to privacy, overlooking, overshadowing and/or any overbearing impacts.
- 7.12 Policy SDC13 relates to Environmental Quality and states that all development proposals will be assessed in relation to their impact on air, light, noise, ground and water pollution. Planning permission will be refused for any proposal where pollution would pose an unacceptable risk to public health, quality of life or the environment
- 7.13 There are a number of properties on Mill Lane that would potentially be affected by the proposals, both from the vehicle movements within the car park and from being close to the Mill Lane entrance to the NEDDC offices.
- 7.14 The application is accompanied by a Noise Impact Assessment and a lighting scheme. The noise assessment proposes a 2m acoustic fence at the HGV park boundary which would be a solid continuous fence (shown in green in Figure 4 below).



*Figure 4 acoustic fence at boundary (green):*

- 7.15 The report also includes an assessment of the noise of vehicles leaving the site.
- 7.16 The Council's Environmental Health Officer has commented he is satisfied with the conclusions of the noise impact assessment and that the acoustic barrier should be controlled by condition. He has no objection to the proposed lighting scheme.
- 7.17 Two local residents have objected to the proposals on the grounds of noise, disturbance and environmental air quality. On these issues the advice from the EHO is clear that the impacts of the vehicles can be mitigated by the acoustic fence. As such Officers consider that the proposals would not result in an adverse impact on the adjacent occupiers' amenity and would be in accordance with policies SDC12 and SDC13. It is proposed that the fence be conditioned to be erected prior to the first use of the car park by the vehicles. In addition, the use of an existing building as a welfare facility would not have any greater impact on residential amenity than is currently the situation due to the extent use of the building and its distance from any impacted property.

### **Drainage Considerations**

- 7.18 The site falls in Flood Zone 1 with the lowest probability of flooding. The proposals also include a wheel wash facility adjacent to the welfare cabin.

- 7.19 Yorkshire Water have been consulted and have raised no objections and requested a planning condition in relation to surface water passing through an oil, petrol and grit interceptor/separator of adequate design.
- 7.20 The Lead Local Flood Authority (LLFA), have commented that based on the scale and nature of the proposals have no formal comments to make. They have however commented that it is not clear how the site will manage surface water. Officers consider that this can be satisfactorily addressed by the recommended Yorkshire Water condition.
- 7.21 Officers consider that the proposal would be acceptable from a drainage perspective subject to the suggested Yorkshire water condition.

### **Land Contamination/Land Stability Considerations**

- 7.22 The application is accompanied by a Coal Mining Risk Assessment. The Coal Authority (CA) has commented that they note the submitted Coal Mining Risk Assessment (9 June 2025 prepared by Geol Consultants Ltd), the content of which recommends intrusive site investigations. However, when considering these particular proposals, on the basis that the proposals constitute an exempt form of development, the CA do not consider that it would be reasonable to ensure the investigations by way of a planning condition and do not object to this planning application.
- 7.23 The Coal Authority would recommend that, should planning permission be granted for this proposal, an Informative Note is included within the Decision Notice
- 7.24 The Council's Environmental Health Officer (EHO) has raised no objections in respect of land contamination issues.
- 7.25 Officers conclude that there are no technical reasons relating to land contamination or land stability that would preclude development.

### **Ecological Considerations**

- 7.26 The application is accompanied by a Bat Survey Report and Biodiversity net gain exception declaration.
- 7.27 Derbyshire Wildlife Trust (DWT) have commented that the site predominantly comprises hardstanding, with the exception of a small amount of buddleia and boundary trees. The habitat impacts of the proposals are considered to be very minor.
- 7.28 DWT have reviewed the Preliminary Bat Roost Assessment report (BSG, June 2025). This assesses the potential for the onsite storeroom to support roosting bats as negligible and no nocturnal survey is required. No evidence of nesting birds was

recorded, although there is some limited potential for nesting in the building and buddleia scrub.

- 7.29 DWT have reviewed the BNG Exemption Statement (BSG, 13th June 2025) and are satisfied that the application can claim the de-minimis exemption due to the very limited impacts to onsite habitats.
- 7.30 DWT have requested that light spill from the 6 m lighting columns should be further reduced. Currently there is spill to the trees and grassland of up to 5lux and higher in the south. Lightspill to established vegetation should be avoided/minimised to maintain functionality for foraging and commuting bats using the local landscape. Furthermore, guidelines for bats and lighting advise that luminaires should be 2700K or less.
- 7.31 In response the agent has submitted a revised lighting scheme which reduces the light spill to the south and incorporates 2700K as per DWT recommendations. DWT have confirmed that the scheme is now acceptable subject to their recommended conditions
- 7.32 In summary the proposals are considered to be acceptable subject to conditions relating to nesting birds and ecological enhancement.

### **Other Considerations**

- 7.33 Concerns have been raised from objectors that the character of the area is not suited to industrial or quasi-industrial use and that the appearance of a refuse vehicle hub and its associated infrastructure will be visually intrusive.
- 7.34 On the first point, the site lies within the Avenue strategic site which is allocated for mixed use development.
- 7.35 The refuse hub would be contained within an existing car park and would be screened to a large extent by the band of trees along the frontage of Mill Lane. The car park would be further screened by the proposed 2m high acoustic fence along the car park boundary. The welfare building is an existing building and would not be visible from public viewpoints outside of the site.
- 7.36 Officers consider that, in view of these factors the impact from the proposal over the temporary period is acceptable.

## **8.0 Summary and Conclusion**

- 8.1 The proposals for a 2-year temporary permission for a refuse hub at the Pioneer House car park would be an appropriate form of development within the Avenue Strategic site and so in accord with the aims and objectives of the Development Plan. This weighs heavily in favour of the scheme.

- 8.2 There are no technical objections to the proposals and these weigh neutrally in the balance.
- 8.3 There will be an impact on residential amenity from the scheme. However, based on advice from the EHO and subject to conditions, it is considered this impact will be acceptable and in any case be only for a temporary 2 year period.
- 8.4 Therefore, overall, the proposal is considered acceptable and there are no matters that outweigh its compliance with the Development Plan.

## 9.0 Recommendation

- 9.1 That planning permission is **CONDITIONALLY APPROVED subject to the following conditions**, with the final wording delegated to the Planning Manager (Development Management):-

### Conditions

No	Condition	Reason	Pre-commencement agreement
1.	The use hereby permitted shall cease and the land restored to its former condition on or before 29 <sup>th</sup> July 2027	The use is for a temporary activity.	N/A
2.	The development hereby approved shall be carried out in accordance with the details shown on drawing numbers:- 907-PKA-XX-XX-DR-A-PL01 P02 Site Location Plan 907-PKA-XX-XX-DR-A-A-PL02 P02 Existing Site Plan 907-PKA-XX-XX-DR-A-PL03 P02 Proposed Site Plan 907-PKA-XX-XX-DR-A-PL04 P01 Vehicle Tracking Plan 907-PKA-XX-XX-DR-A-PL51 P01 Proposed Plans received 10 June 2025; and	For Clarity and avoidance of doubt	N/A

	<p>907-PKA-XX-XX-DR-A-PL52 Vehicle Wash received 13 June 2025</p> <p>250253-LTBL-DWG-001 External Lighting Details received 18 June 2025</p> <p>IMP7873-2 Noise Impact Assessment v4.0</p> <p>unless otherwise subsequently agreed through a formal submission under the Non Material Amendment procedures</p>		
3.	<p>Prior to the first use of the car park by refuse vehicles a 2m high acoustic fence shall be installed in accordance with details set out in the Noise Impact Assessment v4.0 and retained for the lifetime of the development.</p>	<p>In the interests of the amenity of the area, and in accordance with policies SDC12 and SDC13 of the North East Derbyshire Local Plan</p>	
4.	<p>Removal of buddleia scrub and works to the storeroom shall take place outside the nesting bird season (avoiding 1st March and 31st August inclusive), unless preceded by a nesting bird survey by a competent ecologist no more than 48 hours prior to clearance. If nesting birds are present, an appropriate exclusion zone will be implemented and monitored until the chicks have fledged. No works shall be undertaken within exclusion zones whilst nesting birds are present</p>	<p>In the interests of protecting wildlife and in accordance with policies SDC4 of the North East Derbyshire Local Plan</p>	
5.	<p>A pre-works inspection of the storeroom shall be undertaken immediately prior to any works to the soffits or edge trim, by a suitably qualified ecologist, as per the recommendations in the</p>	<p>In the interests of protecting wildlife and in accordance with policies SDC4 of the North East Derbyshire Local Plan</p>	

	Preliminary Bat Roost Assessment report (BSG, June 2025). Prior to first use of the building a short statement of compliance shall be submitted to and approved in writing by the local planning authority.		
6.	Prior to completion of works, either 1No. bat box, 1No. general purpose bird box or 1No. double house martin cups shall be attached to the eastern elevation of the building. A woodstone or woodcrete model shall be chosen for longevity and installed in line with manufacturer's guidelines. A photograph of the box in situ shall be submitted to discharge the condition within one month of completion of development.	In the interests of protecting wildlife and in accordance with policies SDC4 of the North East Derbyshire Local Plan	
7.	Prior to the commencement of the use hereby approved, details of a petrol/grit/chemical interceptor/separator to treat surface water discharged as part of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The interceptor shall be installed in accordance with the approved details, prior to the commencement of the use hereby approved and shall be retained as such thereafter.	To prevent pollution of the aquatic environment and protect the public sewer network and in accordance with Policy SCD11 of the North East Derbyshire Local Plan.	
8.	The external lighting shall be installed in accordance with the External Lighting Strategy 250253-LTBL-REP-001_P02 dated 27.06.2025 and retained as such throughout the lifetime of the development.	In the interests of protecting wildlife and in accordance with policies SDC4 of the North East Derbyshire Local Plan	

## Informative

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 at the surface or shallow depth. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former 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 new development taking place. It is recommended that information outlining how former mining activities may affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), is submitted alongside any subsequent application for Building Standards approval (if relevant).

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design which takes into account all the relevant safety and environmental risk factors, including mine 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](http://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, excavations for 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.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: [www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)