



**Julian Townsend**  
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## **TOWN AND COUNTRY PLANNING ACT 1990**

In pursuance of the powers vested in the Amber Valley Borough Council under the above Act and Orders and taking into account Government policy and guidance and the saved policies of the Adopted Amber Valley Borough Local Plan 2006, and with reference to your application (**Office Code: AVA/2021/0313**) which was valid on the 8 April 2021 for permission for **Construction of a 19.657MW Solar Farm for a period of 40 years, to include the installation of Solar Panels with transformers, a substation, a DNO control room, a customer substation, GRP comms cabin, security fencing, landscaping and other associated infrastructure at Land North Of Alfreton (South Of B6025) Meadow Lane Alfreton**

In the manner described in the application and shown on the accompanying plan(s) and drawing(s) **NOTICE IS HEREBY GIVEN** that permission for the proposed development is **GRANTED** subject to the following conditions:

### **Conditions/Reasons**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

**Reason:** To comply with the requirements of Section 91(1) of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be removed and the land restored to its former condition within 40 years of the date of the permission or within six months of the cessation of the use of the solar farm for the generation of electricity whichever is

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the sooner in accordance with a restoration plan to be submitted to and approved in writing by the Local Planning Authority.

The restoration plan shall include all the works necessary to revert the site to open agricultural land including the removal of all structures, materials and any associated goods and chattels from the site.

**Reason:** To ensure the land is returned to beneficial use at the end of the operational period in the interests of the landscape character and visual amenity in accordance with saved policies LS1, EN1, EN7, EN8, EN9, and EN35 of the Adopted Amber Valley Borough Local Plan 2006.

3. The development shall be undertaken in accordance with the following:

Application Form PP-09576295 Barton Willmore  
 Planning Statement 32417/A5/PS/JRH/CA Barton Willmore  
 DAS 32417/A5/DAS/JRH/CA Barton Willmore  
 Planning Site Layout C0002292\_02\_PL Rev M Anesco Limited  
 Site Location Plan C0002292\_03 Rev D Anesco Limited  
 Single Line Diagram C0002292\_04 Rev D Anesco Limited  
 Block Plan C0002292\_05 Rev D Anesco Limited  
 Typical Building Plans & Elevations C0002292\_06 Rev A Anesco Limited  
 Typical Section Through Array C0002292\_07 Rev A Anesco Limited  
 Typical Fence Detail C0002292\_08 Rev A Anesco Limited  
 Typical Cable Ladder Details C0002292\_09 Rev A Anesco Limited  
 Landscape Strategy Plan 32417-LN-LP-08 Rev G Barton Willmore  
 Agricultural Quality of Land North of Alfreton 1794/1 Land Research Associates  
 Historic Environment Desk-Based Assessment CR0638\_1Cotswold Archaeology  
 Flood Risk Assessment and Surface Water Drainage Strategy 10.05075.00089V03 SLR  
 Transport Statement Analfre2011082 07/06/2021 Motion  
 Ecological Impact Assessment 424.05075.00091 V2 10/06/2021  
 Alfreton Biodiversity Metric 2.0 v1 SLR  
 Landscape and Visual Impact Assessment 32417 Rev 02 Barton Willmore  
 Coal Mining Risk Assessment CON29M The Coal Authority  
 Topographical Survey 3D Land Surveys Ltd  
 Pre-Development BS5837 Tree Survey (May 2021) Broadway Tree Consultancy  
 Pre-Development BS5837 Tree Survey PHOTOGRAPHS - PART 1 (May 2021)  
 Broadway Tree Consultancy

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Pre-Development BS5837 Tree Survey PHOTOGRAPHS - PART 2 (May 2021)  
Broadway Tree Consultancy  
Tree Constraints Plan 210604-ASF-TCP-SD Broadway Tree Consultancy  
Tree Constraints Plan and Proposals 210604-ASF-TCPP-Rev A-SD&AM Broadway Tree Consultancy  
Tree Removal and Protection Plan 210604-ASF-TRPP-Rev A-SD&AM Broadway Tree Consultancy  
Response Letter prepared by SLR to address Environment Agency comments (04 June 2021)  
Response Letter prepared by SLR to address Flood Risk Management Team comments (04 June 2021)  
Geophysical Survey Report MSSK964 Magnitude Surveys  
Visibility Splay, Drawing no: 2011082-05 13 September 2021  
Visibility Splay, Drawing no: 2011082-06 13 September 2021

**Reason:** To define the terms of the permission.

4. a. Development shall not commence until a ground gas investigation and risk assessment is carried out and a report submitted to and accepted in writing by the Local Planning Authority.  
b. Where the approved risk assessment (required by a) identifies ground gases posing unacceptable risks, no development shall begin until a detailed scheme to address the risks has been submitted and approved by the local planning authority.  
c. The approved scheme (required by b) shall be implemented and a verification report submitted and approved by the local planning authority, before the development is first brought into use.

**Reason:** Since the site has been identified as being potentially at risk from ground gases and to protect human health and buildings in accordance with saved policy EN18 of the Adopted Amber Valley Borough Local Plan 2006.

5. The development shall be carried out in accordance with the submitted flood risk assessment (ref 410.05075.00089, version 03, dated July 2021 and compiled by SLR) and the following mitigation measures it details:
- The soffit level of the solar panels shall be no lower than the estimated design flood level of 89.39 metres above Ordnance Datum (AOD).
  - Compensatory storage shall be provided as detailed within section 6.2.2 and as illustrated on figure 6.3.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The

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measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

**Reason:** To reduce the risk of flooding to the proposed development and future occupants and to prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided in accordance with saved policy EN15 of the Adopted Amber Valley Borough Local Plan 2006.

6. No development shall take place until a detailed design and associated management and maintenance plan of the surface water drainage for the site, in accordance with the principles outlined within:
- List the approved documents SLR Consulting, Alfreton Solar Farm, Flood Risk Assessment and Surface Water Drainage Strategy, July 2021, ver. 03, including any subsequent amendments or updates to those documents as approved by the Flood Risk Management Team (see Site Specific Comments).
  - And DEFRA's Non-statutory technical standards for sustainable drainage systems (March 2015), have been submitted to and approved in writing by the Local Planning Authority.

**Reason:** To ensure that the proposed development does not increase flood risk and that the principles of sustainable drainage are incorporated into this proposal, and sufficient detail of the construction, operation and maintenance/management of the sustainable drainage systems are provided to the Local Planning Authority, in advance of full planning consent being granted in accordance with saved policy EN15 of the Adopted Amber Valley Borough Local Plan 2006.

7. Prior to commencement of the development, the applicant shall submit for approval to the Local Planning Authority details indicating how additional surface water run-off from the site will be avoided during the construction phase.

**Reason:** To ensure surface water is managed appropriately during the construction phase of the development, so as not to increase the flood risk to adjacent land/properties or occupied properties within the development in accordance with saved policy EN15 of the Adopted Amber Valley Borough Local Plan 2006.

8. Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer shall be submitted to and approved by the Local Planning Authority. This shall demonstrate that the drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage

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elements (surface water attenuation devices/areas, flow restriction devices and outfalls).

**Reason:** To ensure that the drainage system is constructed to the national Non-statutory technical standards for sustainable drainage and CIRIA standards C753 in accordance with saved policy EN15 of the Adopted Amber Valley Borough Local Plan 2006.

9. Prior to the commencement of the development, a soil management plan shall be submitted to and approved by the Local Planning Authority to demonstrate how damage to soil horizons and ground cover will be mitigated and remediated during and after construction and for future decommissioning. The development shall be undertaken in accordance with the approved details.

**Reason:** To ensure that the properties of the soil profile remain as close as is reasonably practicable to pre-development conditions, damage is mitigated and remediated and the ability of the soil to infiltrate is not diminished in accordance with saved policy EN15 of the Adopted Amber Valley Borough Local Plan 2006.

10. The development shall be carried out in accordance with the submitted Ecological Impact Assessment (EclA) v2 prepared by SLR dated June 2021 and the Landscape Strategy Plan LN-LP-08 Rev. F included as Appendix 4 of the EclA.

**Reason:** In the interests of environmental protection and enhancement in accordance with saved policies EN13 and EN8 of the Adopted Amber Valley Borough Local Plan 2006.

11. No development shall take place (including ground works and vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority.

The CEMP (Biodiversity) shall include the following.

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones"
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (to include consideration of lighting)
- d) The location and timing of sensitive works to avoid harm to biodiversity features including nesting birds
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.

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- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

**Reason:** For the conservation and protection of legally protected species of recognised nature conservation importance in accordance with saved policies EN13 and EN16 of the Adopted Amber valley Borough Local Plan 2006 and to ensure compliance with the Wildlife and Countryside Act 1981.

12. A landscape and ecological management and monitoring plan (LEMMP) shall be submitted to, and be approved in writing by, the local planning authority prior to the commencement of the development. The content of the LEMMP shall include the following.
- a) Description and evaluation of features to be managed.
  - b) Ecological trends and constraints on site that might influence management.
  - c) Aims and objectives of management.
  - d) Appropriate management options for achieving aims and objectives.
  - e) Prescriptions for management actions.
  - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a twenty-year period).
  - g) Details of the body or organisation responsible for implementation of the plan.
  - h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.

The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The approved plan will be implemented in full accordance with the approved details.

**Reason:** In the interests of the conservation of biodiversity in accordance with saved policies EN7, EN8, EN9 and EN13 of the Adopted Amber Valley Borough Local Plan 2006.

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13. a) No development shall take place until a Written Scheme of Investigation for archaeological work has been submitted to and approved by the local planning authority in writing, and until any pre-start element of the approved scheme has been completed to the written satisfaction of the local planning authority. The scheme shall include an assessment of significance and research questions; and
1. The programme and methodology of site investigation and recording
  2. The programme for post investigation assessment
  3. Provision to be made for analysis of the site investigation and recording
  4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
  5. Provision to be made for archive deposition of the analysis and records of the site investigation
  6. Nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation.
- b) No development shall take place other than in accordance with the archaeological Written Scheme of Investigation approved under condition (a).
- c) Within a period of 12 weeks from completion of the development the archaeological site investigation and post investigation analysis and reporting shall have been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (a) and the provision to be made for publication and dissemination of results and archive deposition shall have been secured.

**Reason:** In order to ensure that satisfactory arrangements are made for the investigation, retrieval and recording of any possible archaeological remains on the site in accordance with saved policy EN30 of the Adopted Amber Valley Borough Local Plan 2006.

14. The development shall be carried out in full accordance with:

Tree Constraints Plan, Drawing Number: 210604-ASF-TCP-SD June 2021

Tree Constraints Plan and Proposals Drawing Number: 210608-ASF-TCPP-Rev A-SD&AM June 2021

Tree Removal and Protection Plan Drawing Number: 210608-ASF-TRPP-Rev A-SD&AM June 2021

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As described in the tree report, erection of the site security fencing and tree protection barriers shall be implemented prior to any other construction work taking place on site and maintained as such through the construction phase.

**Reason:** To ensure the Trees are protected in accordance with saved policy EN8 of the Adopted Amber Valley Borough Local Plan 2006.

15. All site preparation and construction activities shall comply with the following:

a) Operating hours:

No works, or deliveries to and from the site, shall occur other than between 08:00 and 18:00 hours on weekdays and between 08:00 and 13:00 hours on Saturdays. No works shall take place on Sundays or bank holidays. Any essential extension to these hours, other than for emergency works, shall be agreed with the Local Planning Authority before work commences. Activities that do not create noise and disturbance to residents may still take place outside these hours;

b) Noise and vibration:

All activities shall comply with British Standard BS 5228 'Code of practice for noise and vibration control on construction and open sites'.

A health and safety risk management system shall be designed and implemented to eliminate or minimise reversing and the use of high-pitched reversing alarms, for example, use of broadband reversing alarms - see Health and Safety Executive (HSE) guidance at: <https://www.hse.gov.uk/workplacetransport/information/reversing.htm>.

No piling, blasting, dynamic compaction or use of vibrating rollers shall occur before a specific noise and vibration management plan has been approved by the Local Planning Authority;

c) Dust/Particulate emissions:

No visible dust/particulate matter shall be emitted beyond the site boundary. At such times as the prevention of nuisance is not possible, dust/particulate generating activities shall temporarily cease until such time as dust suppression measures become effective. No vehicle shall leave the site unless in a clean condition such that it does not deposit dust or mud on the highway. Any such deposits shall be removed from the highway at least once daily;

d) Waste:

No unwanted materials shall be disposed of on site by burning;

e) Lighting:

Any temporary site lighting shall be positioned on site to minimise light trespass and glare.

**Reason:** In the interests of protecting residential amenity in accordance with saved policy EN16 of the Adopted Amber Valley Borough Local Plan 2006.

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16. No permanent external lighting shall be installed unless full details of its design, location, illuminance levels, orientation and operating times have first been agreed with the Local Planning Authority. All works shall be fully implemented in accordance with the approved scheme before use commences.

**Reason:** In the interest of ecology, visual amenity to safeguard the rural character of the area and security for the site to accord with saved policies LS2, LS3, EN13 and EN16 of the Adopted Amber Valley Borough Local Plan 2006.

17. Before any other operations are commenced, space shall be provided within the site for storage of plant and materials, site accommodation, loading, unloading and manoeuvring of goods vehicles, parking and manoeuvring of employees and visitors vehicles, laid out and constructed in accordance with detailed designs first submitted to and approved in writing by the Local Planning Authority. Once implemented the facilities shall be retained free from any impediment to their designated use throughout the construction period.

**Reason:** In the interests of highway safety in accordance with saved policy TP1 of the Adopted Amber Valley Borough Local Plan 2006.

18. Throughout the period of development vehicle wheel cleaning facilities shall be provided and retained within the site. All construction vehicles shall have their wheels cleaned before leaving the site in order to prevent the deposition of mud and other extraneous material on the public highway.

**Reason:** In the interests of highway safety in accordance with saved policy TP1 and EN16 of the Adopted Amber Valley Borough Local Plan 2006.

19. Before any other works commence a Construction Traffic Management Plan shall be submitted to the Local Planning Authority for approval demonstrating temporary signage, temporary traffic management and pedestrian safeguarding measures and interaction with any other approved construction works in the vicinity of the site. The construction works shall be carried out in fully accordance with the approved Construction Traffic Management Plan.

**Reason:** In the interests of highway safety in accordance with saved policy TP1 of the Adopted Amber Valley Borough Local Plan 2006.

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20. Upon closure of the Solar Farm and prior to any restoration works on site, a revised Construction Traffic Management Plan shall be submitted for approval. Once approved, the decommissioning of the site shall be carried out in accordance with the agreed details.

**Reason:** In the interests of highway safety in accordance with saved policy TP1 of the Adopted Amber Valley Borough Local Plan 2006.

21. The gated access off B6025 shall remain open during construction operations on site.

**Reason:** To ensure appropriate access/egress at the site in the interests of highway safety in accordance with saved policy TP1 of the Adopted Amber Valley Borough Local Plan 2006.

22. Prior to the site becoming operational full details for the provision and approval of security measures at the site shall be submitted to and approved in writing by the local planning authority. The Agreed scheme shall be implemented in full and maintained throughout the life of the development.

**Reason:** To ensure appropriate security measures are in place having regard to the sites location in accordance with saved policy LS2 and EN13 of the Adopted Amber Valley Borough Local Plan 2006.

## Notes

### Attention is drawn to the attached notes:

- 1 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.

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,

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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)

- 2 In respect of condition 4 recommended by the Borough Council's Scientific Officer they advise that when undertaking ground gas investigation and designing gas protection measures, reference should be made to the British Standards BS8576 "Guidance on investigations for ground gas" and BS8485 "Code of practice for the design of protective measures for methane and carbon dioxide ground gases for new buildings".

The Scientific Officer notes that the Coal Authority comment that solar farms fall on their exemptions list as a type of development which is likely to require minimal groundworks. However, the coal mining report included with the application documents considers that there are potentially unrecorded shallow mine workings beneath the site and that parts of the site were within the boundary of an opencast site, thus the Officer considers that the risk from mine gas to site workers in enclosed spaces such as the control room and the containers should be considered .

- 3 Further to Condition 22 the Force Designing Out Crime Officer advises CCTV helps with grading appropriate response to activations, assessing risk prior to attendance, reducing false alarms, gathering evidence for prosecution and providing a more focussed response to confirmed incidents to the attending police staff.

He advises that there is an industry trend to move away from infra-red PIDS systems to CCTV with either integral movement detection or with separate long range movement detection on the same column.

- 4 The LLFA advise of the following:

1. The site surface water management plan should incorporate perimeter swales or filter strips at the downslope limits of the solar arrays and between banks of solar arrays and any watercourse. This is to compensate for the tendency of solar arrays to concentrate surface water and produce greater volumes of surface water than would otherwise occur in greenfield conditions.

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2. Please show on the plans or otherwise provide the location of all planned access roads within the site including the locations of any crossings of open watercourses. Please indicate which will be temporary (construction phase only) and which will be permanent for maintenance during the life of the facility. Please provide a detail/cross section for all planned roads.

Further to condition 7 the LLFA advise that the applicant may be required to provide collection, balancing and/or settlement systems for these flows. The approved system shall be operating to the satisfaction of the Local Planning Authority, before the commencement of any works, which would lead to increased surface water run-off from site during the construction phase.

5 Advisory/Informative Notes (It should be noted, that the information detailed below (where applicable), will be required as an absolute minimum in order to discharge any of the drainage conditions set by the LPA):

A. The County Council does not adopt any SuDS schemes at present (although may consider ones which are served by highway drainage only). As such, it should be confirmed prior to commencement of works who will be responsible for SuDS maintenance/management once the development is completed.

B. Any works in or nearby an ordinary watercourse may require consent under the Land Drainage Act (1991) from the County Council. For further advice, or to make an application please contact [Flood.Team@derbyshire.gov.uk](mailto:Flood.Team@derbyshire.gov.uk).

C. No part of the proposed development shall be constructed within 3-8m of an ordinary watercourse and a minimum 3 m for a culverted watercourse (increases with size of culvert). It should be noted that DCC have an anti-culverting policy.

D. The applicant should be mindful to obtain all the relevant information pertaining to proposed discharge in land that is not within their control, which is fundamental to allow the drainage of the proposed development site.

E. The applicant should demonstrate, to the satisfaction of the Local Planning Authority, the appropriate level of treatment stages from the resultant surface water discharge, in line with Table 4.3 of the CIRIA SuDS Manual C753.

F. The County Council would prefer the applicant to utilise existing landform to manage surface water in mini/sub-catchments. The applicant is advised to contact the County

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Council's Flood Risk Management team should any guidance on the drainage strategy for the proposed development be required.

G. The applicant should provide a flood evacuation plan which outlines:

The flood warning procedure  
A safe point of extraction  
How users can safely evacuate the site upon receipt of a flood warning  
The areas of responsibility for those participating in the plan  
The procedures for implementing the plan  
How users will be made aware of flood risk  
How users will be made aware of flood resilience  
Who will be responsible for the update of the flood evacuation plan

H. Flood resilience should be duly considered in the design of the new building/s or renovation. Guidance may be found in BRE Digest 532 Parts 1 and 2, 2012 and BRE Good Building Guide 84.

I. Surface water drainage plans should include the following:

Rainwater  
pipes, gullies and drainage channels including cover levels.  
Inspection chambers, manholes and silt traps including cover and invert levels.  
Pipe sizes, pipe materials, gradients and flow directions and pipe numbers.  
Soakaways, including size and material.  
Typical inspection chamber / soakaway / silt trap and SW attenuation details.  
Site ground levels and finished floor levels.

J. On Site Surface Water Management;

The site is required to accommodate rainfall volumes up to 1 in 100 year return period (plus climate change) whilst ensuring no flooding to buildings or adjacent land.

The applicant will need to provide details and calculations including any below ground storage, overflow paths (flood routes), surface detention and infiltration areas, etc, to demonstrate how the 100 year + 30% Climate Change rainfall volumes will be controlled and accommodated, also incorporating a sensitivity test to 40% Climate change. In addition an appropriate allowance should be made for urban creep throughout the lifetime of the development (to be agreed with the LLFA).

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Production of a plan showing above ground flood pathways (where relevant) for events in excess of 1 in 100 year rainfall, to ensure exceedance routes can be safely managed.

A plan detailing the impermeable area attributed to each drainage asset (pipes, swales, etc).

#### Peak Flow Control

For greenfield developments, the peak run-off rate from the development to any highway drain, sewer or surface water body for the 1 in 1 year rainfall event and the 1 in 100 year rainfall event, should never exceed the peak greenfield run-off rate for the same event.

For developments which were previously developed, the peak run-off rate from the development to any drain, sewer or surface water body for the 1 in 1 year rainfall event and the 1 in 100 year rainfall event must be as close as reasonably practicable to the greenfield run-off rate from the development for the same rainfall event, but should never exceed the rate of discharge from the development, prior to redevelopment for that event.

#### Volume Control

For greenfield developments, the runoff volume from the development to any highway drain, sewer or surface water body in the 1 in 100 year, 6 hour rainfall event must not exceed the greenfield runoff volume for the same event

For developments which have been previously developed, the runoff volume from the development to any highway drain, sewer or surface water body in the 1 in 100 year, 6 hour rainfall event must be constrained to a value as close as is reasonably practicable to the greenfield runoff volume for the same event, but must not exceed the runoff volume for the development site prior to redevelopment for that event.

Note:- If the greenfield run-off for a site is calculated at less than 2 l/s, then a minimum of 2 l/s could be used (subject to approval from the LLFA).

Details of how the on-site surface water drainage systems shall be maintained and managed after completion and for the lifetime of the development to ensure the features remain functional.

Where cellular storage is proposed and is within areas where it may be susceptible to damage by excavation by other utility contractors, warning signage should be provided

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to inform of its presence. Cellular storage and infiltration systems should not be positioned within the highway.

Guidance on flood pathways can be found in BS EN 752.

The Greenfield runoff rate which is to be used for assessing the requirements for limiting discharge flow rates and attenuation storage for a site should be calculated for the whole development area (paved and pervious surfaces - houses, gardens, roads, and other open space) that is within the area served by the drainage network whatever size of the site and type of drainage system. Significant green areas such as recreation parks, general public open space etc., which are not served by the drainage system and do not play a part in the runoff management for the site, and which can be assumed to have a runoff response which is similar to that prior to the development taking place, may be excluded from the greenfield analysis.

K. If infiltration systems are to be used for surface water disposal, the following information must be provided:

Ground percolation tests to BRE 365.

Ground water levels records. Minimum 1m clearance from maximum seasonal groundwater level to base of infiltration compound. This should include assessment of relevant groundwater borehole records, maps and on-site monitoring in wells.

Soil / rock descriptions in accordance with BS EN ISO 14688-1:2002 or BS EN ISO 14689-1:2003.

Volume design calculations to 1 in 100 year rainfall + 30% climate change standard. An appropriate factor of safety should be applied to the design in accordance with CIRIA C753 - Table 25.2.

Location plans indicating position (soakaways serving more than one property must be located in an accessible position for maintenance). Soakaways should not be used within 5m of buildings or the highway or any other structure.

Drawing details including sizes and material.

Details of a sedimentation chamber (silt trap) upstream of the inlet should be included.

Soakaway detailed design guidance is given in CIRIA Report 753, CIRIA Report 156 and BRE Digest 365.

L. All Micro Drainage calculations and results must be submitted in .MDX format, to the LPA. (Other methods of drainage calculations are acceptable.)

M. The applicant should submit a comprehensive management plan detailing how surface water shall be managed on site during the construction phase of the development ensuring there is no increase in flood risk off site or to occupied buildings within the development.

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6 The Highway Authority advises as follows:

- i. The application site is affected by/adjacent to several Public Rights of Way (Footpaths 2 (Alfreton Shirland & Higham) 33 (South Normanton) 1, 26 ,34 (Blackwell) 45 (Shirland & Higham), 1, 79 (Alfreton) on the Derbyshire Definitive Map). The routes must remain unobstructed on their legal alignment at all times and the safety of the public using them must not be prejudiced either during or after development works take place. Further advice can be obtained by calling 01629 533190.
- ii. Temporary traffic management/signage measures will require the consent of the Highway Authority. Email [Highways.hub@derbyshire.gov.uk](mailto:Highways.hub@derbyshire.gov.uk)
- iii. Pursuant to Sections 149 and 151 of the Highways Act 1980, steps shall be taken to ensure that mud or other extraneous material is not carried out of the site and deposited on the public highway. Should such deposits occur, it is the applicant's responsibility to ensure that all reasonable steps (e.g. street sweeping) are taken to maintain the roads in the vicinity of the site to a satisfactory level of cleanliness.

### Reasons for Granting Permission

In granting permission for this development the Borough Council has taken into account all material planning considerations arising from the views of statutory and other consultees and public representations about the application, Government guidance as detailed in the National Planning Policy Framework and the saved policies of the Adopted Amber Valley Borough Local Plan 2006:

#### In detail:

The National Planning Policy Framework (NPPF) is a material consideration in planning decisions. In accordance with Paragraph 38 of the NPPF the local planning authority has approached the decision making process in a positive way to foster the delivery of sustainable development and has worked proactively with the applicant/agent to secure a development to improve the economic, social and environmental conditions of the area.

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The development complies with the provisions of the development plan for the locality and raises no unresolved issues in relation to the location of the site, privacy, amenity, character and design, landscape or heritage features and highway safety.

Date : 12 October 2021

Signed

A handwritten signature in black ink, appearing to read 'Julian Townsend', with a stylized flourish at the end.

Julian Townsend  
Executive Director (Operations)

## NOTES

1. If the applicant is aggrieved by the decision of the Local Planning Authority to refuse planning permission or approval for the proposed development or to grant permission or approval subject to conditions, he may appeal to the Secretary of State for the Environment in accordance with Section 78/79 of the Town and Country Planning Act 1990, within six months of the date of this notice. The Secretary of State has power to allow a longer period for the giving of a notice but will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission of the proposed development could not have been granted by the Local Planning Authority or could not have been so granted otherwise that subject to the conditions imposed on them, having regard to the statutory requirements, to the provision of the development order, and to any directions given under the order.
2. Cadent Gas own and operate the gas infrastructure within the area of your development. Contact Cadent's Plant Protection Team for approval before carrying out any works on site and ensuring requirements are adhered to. Email [plantprotection@cadentgas.com](mailto:plantprotection@cadentgas.com). Alternatively you can register on [www.beforeyoudig.nationalgrid.com](http://www.beforeyoudig.nationalgrid.com)
3. If permission to develop land is refused or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State for the Environment, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Council of the County/District in which the land is situated, a purchase notice requiring that council to purchase his interests in the land in accordance with the provisions of Section 180 of the Town and Country Planning Act 1990.
4. In certain circumstances a claim may be made against the Local Planning Authority for compensation where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Sections 137 and 138 of the Town and Country Planning Act 1990.
5. This permission relates to planning controls only. Any other statutory consent necessary including submission under the building regulations must be obtained from the appropriate Authority.
6. If it is intended to give notice of appeal in accordance with Paragraph 1 above, this should be done on the appropriate form obtainable from:-

The Planning Inspectorate  
3/23 Hawk Wing, Temple Quay House, 2 The Square Temple Quay Bristol BS1 6PN  
(Tel. No. 0117 372 8000) [www.planning-inspectorate.gov.uk](http://www.planning-inspectorate.gov.uk)

7. If the condition of consent or reasons for refusal, make reference to a Division of the Department, the appellant may, if he so wishes, require the attendance of a representative from the Department by notification to the Local Planning Authority. Such a representative would not be liable to cross-examination on questions of departmental policy, but only on matters of fact and expert opinion in relation to the appeal site.
8. Where a vehicle is habitually drive across a grass verge or kerbed footway to and from premises adjoining a highway, the occupier of the premises may after being given due notice by the appropriate authority, be required to pay the cost of construction of a carriage crossing or the strengthening of a footway, as the authority considers it necessary, or may be required to comply with conditions imposed by the authority.
9. In the case of building or premises to which the public are to be admitted whether on payment or otherwise, attention is drawn to Sections 4 and 7 of the Chronically Sick and Disabled Persons Act 1970 and the associated Code of Practice (BS5810:1979). In the case of premises to which the Offices, Shops and Railway Premises Act 1963 or the Factories Act 1962 applies, attention is drawn to Sections 7 and 8A of the Chronically Sick and Disabled Persons Act and to the same code of practice. In the case of Educational Buildings, attention is drawn to Sections 7 and 8 of the Chronically Sick and Disabled Persons Act 1978 and to the Design Note 18 "Access for the Physically Disabled Educational Buildings".
10. If the development site is crossed by an electric line or is within 15 metres (50ft) of the nearest part of a line (measure horizontally along the ground) or if there is reason to believe that it may be crossed by an underground electric cable, the applicant should contact the Electricity Board to ascertain if and what special safety precautions are necessary.
11. The grant of planning permission does not entitle developers to obstruct a public right of way. Development on so far as it affects a right of way, should not be started, and the right of way should be kept open for public use, until the necessary order under Section 247 and 257 of the Town and Country Planning Act 1990 for the diversion of extinguishment of the right of way has been made and confirmed.