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Environment Agency

Amber Valley Borough Council
RIPLEY, DE5 3SZ

Reference: PA-0012408/01
Customer reference: AVA/2026/0517
01 October 2026

Contruction of a detached 2 storey dwelling.

ROSELEA RIPLEY ROAD BELPER AMBER VALLEY BOROUGH DE56 2EP

Dear Planning Officer,

Thank you for the above consultation; received 111 September 2026. Our detailed comments are as follows.

Environment Agency position – Flood Risk
In the absence of a flood risk assessment (FRA), we object to this application and recommend that planning permission is refused.

Reason(s)
The application site lies within Flood Zone 2, which is land defined by the planning practice guidance as having a medium probability of flooding. The NPPF (paragraph 181, footnote 63) and the Flood Risk and Coastal Change Planning Practice Guidance (paragraphs 20 and 21) states that an FRA must be submitted when development is proposed in such locations.
An FRA is vital to making informed planning decisions. In its absence, the flood risks posed by the development are unknown. This is sufficient reason for refusing planning permission.

Overcoming our objection
To overcome our objection, the applicant should submit an FRA which demonstrates that the development is safe without increasing risk elsewhere. Where possible, it should reduce flood risk overall.
If this cannot be achieved, we are likely to maintain our objection. Please re-consult us if an FRA is submitted and we will respond within 21 days of re-consultation.
Guidance on how to prepare a flood risk assessment can be found at Flood risk assessments: applying for planning permission - GOV.UK.

Environment Agency position – Pollution Prevention

The proposed development will be acceptable if the following measure(s) are implemented and secured by way of a planning condition on any planning permission.

Condition 1

The development hereby permitted shall not be commenced until such time as an acceptable scheme to dispose of foul drainage has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.

Reason(s)

The Local River basin management plan requires the restoration and enhancement of water bodies to prevent deterioration and promote recovery of water bodies. Without this condition, the development could cause deterioration of a quality element to a lower status class. This approach is supported by paragraph 187 of the National Planning Policy Framework (NPPF) which recognises that development should not contribute to unacceptable levels of pollution.

Advice to LPA: Installations and Amenity

The proposed development is within 500m of one or more industrial or waste management site that is regulated by the Environment Agency through the Environmental Permitting (England and Wales) Regulations 2016. The location of this site(s) can be found on Defra's Data Services Platform, available at - https://www.gov.uk/guidance/access-the-public-register-for-environmental-information#environmental …

The Environment Agency issues Environmental Permits for installations or waste management operations. A permit will require that operators demonstrate they have taken all reasonable measures to prevent pollution of the environment and harm to human health. Pollution can include air quality impacts, odours, noise, pests water quality and ground water impacts. If prevention is not possible, the operator must take steps to minimise the impact from pollution instead. In some cases, this is unlikely to eliminate all emissions and there could be impacts to the environment which may cause local residents some concern. When a new development is built near to an existing permitted facility this does not automatically trigger a review of the Environmental Permit and we will regulate this in line with our Environment Agency enforcement and sanctions policy - GOV.UK.

Planning authorities must satisfy themselves that in land use terms the proposed development is suitable for this location given the proximity to a regulated sites described above and the scope of the permit as granted.

Planning policy requirements (paragraph 200 of the NPPF) state that new development should integrate effectively with existing businesses and not place unreasonable restrictions upon them.

Please note that in accordance with national planning policy (paragraph 201 of the NPPF), planning decisions should assume that permitting regimes will operate effectively. Applicants should be advised to consider our 'Environmental Permitting Guidance' which can be found at: Check if you need an environmental permit - GOV.UK.

Please note that this response is based on the information provided at this time and if this changes in the future, we would need to consider our position again. In accordance with the planning practice guidance (determining a planning application, paragraph 019), please notify us by email within two weeks of a decision being made or application withdrawn. Please provide us with a URL of the decision notice, or an electronic copy of the decision notice or outcome.

If you have any questions regarding our response, please contact planning.trentside@environment-agency.gov.uk.

Yours sincerely,
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