Aldercar and Langley Mill Parish Council

28 October 2026

Development Management
Amber Valley Borough Council
Town Hall
Ripley
Derbyshire

For the attention of the Case Officer and Head of Planning

Dear Sir or Madam,

Objection to Planning Application AVA/2026/0607

Following consideration at its meeting on 27 October 2026, Aldercar and Langley Mill Parish Council objects to this application. The Council asks that permission for the proposed variation be refused unless the concerns set out below are satisfactorily addressed.

The Council recognises the importance of providing good quality affordable homes. Its objection concerns the standard of accommodation proposed, the revised layout and housing mix, environmental impacts and the infrastructure needed to support the development. The Council acknowledges the existing permission; this representation focuses on the proposed changes and whether the evidence supporting them is sufficient.

1 Internal space standards and quality of accommodation

The representation presented to the Parish Council reports that the proposed homes fall below the Nationally Described Space Standard, reaching approximately 85 per cent of the relevant standard, and that the applicant has acknowledged a departure from policy.

This raises a serious concern about the long term quality and suitability of the accommodation.

Policy EN15 *of the adopted Amber Valley Borough Local Plan addresses space standards and residential design*. The Parish Council requests a schedule identifying each house type, intended occupancy, proposed internal floor area, applicable space standard and any shortfall. Any departure should be clearly identified and supported by a robust explanation addressing the policy and its qualifications.

Cost, grant funding and delivery deadlines should not, without adequate supporting evidence and a reasoned planning assessment, justify smaller homes. Where viability is relied upon, the Council requests publication of the supporting evidence so far as appropriate, with independent scrutiny where necessary. Future residents should have homes with sufficient space for normal family life, storage and changing needs.

2 Revised layout and areas identified for future development

The Parish Council has identified that areas previously accommodating homes are now shown as future development for nine plots, while 93 homes are proposed elsewhere within the site. The Borough Council is asked to clarify precisely what this application seeks to authorise, the land included and the status of those additional plots.

The concern is that concentrating the proposed homes within a reduced developable area may compromise gardens, separation distances, privacy, landscaping and usable open space. A clear comparison of the approved and proposed layouts is required to demonstrate acceptable living conditions for existing and future residents.

The Council does not assume that an indicative future development label itself grants permission for additional homes. It nevertheless requests a clear explanation of whether any related development is contemplated and how its cumulative effects would be assessed. The Borough Council should also explain why the changes fall within the scope of the variation sought and remain consistent with the description of the permitted development.

3 Housing mix and accessibility

The representation received by the Parish Council indicates a shift towards two and three bedroom houses and the apparent loss of two bungalows included in the earlier scheme. The Council requests a comparison of the approved and proposed bedroom sizes, house types and accessible accommodation, with information explaining how the revised mix meets current local needs.

Policy H4 addresses housing mix and the needs of older and disabled people. It requires M4(2) accessible and adaptable dwellings and, subject to its viability qualification, expects 15 per cent of affordable homes to meet the M4(3) accessible standard. The applicant should identify the relevant plots and demonstrate compliance, or substantiate any proposed departure. Accessibility should be integral to the revised design.

4 Flood risk and drainage

Residents have raised serious concerns about flooding in and around the site, including during Storm Babet. Changes to the layout, impermeable surfaces, levels and drainage routes require a clear demonstration that the revised development will be safe and will not increase flood risk elsewhere.

The Council requests confirmation that the flood risk assessment and drainage strategy remain appropriate to the revised plans, taking account of subsequent flood events, current information and climate change. The Lead Local Flood Authority and Environment Agency should be consulted as appropriate on the revised scheme. Their responses should be available before determination, together with details of drainage maintenance and safe access where relevant.

5 Ecology and protected species

The Parish Council has been advised that the ecological evidence dates from 2019. Residents have reported great crested newts and bats in the locality. These reports should be investigated and the continuing reliability of the submitted ecological evidence established.

The Council requests an assessment by a suitably qualified ecologist of whether updated surveys are required, having regard to the age of the evidence, any changes in habitats and the revised proposals. Necessary surveys and an adequate mitigation strategy should inform the decision, rather than leaving unresolved whether the development can proceed without unacceptable harm to protected species and their habitats.

6 Local housing needs and a balanced community

Residents have drawn attention to the reported provision of 109 affordable homes on the former railway sidings site. Together with the proposed 93 homes, this would amount to approximately 200 affordable homes across two neighbouring sites. The Borough Council is asked to confirm the relevant figures and assess the proposed mix against current evidence of local housing need and existing and committed provision.

The briefing paper reports a change from 30 per cent affordable housing in the original scheme to 100 per cent affordable housing, comprising 55 per cent social rent and 45 per cent shared ownership. The Parish Council requests confirmation of these figures and evidence explaining how the revised tenure mix, alongside the proposed dwelling sizes and types, responds to current local housing needs and existing and committed provision. The Council seeks a reasoned assessment under Policy H4 of the effect on the settlement's housing mix. Affordable tenure alone is not the basis of this objection; the concern is whether the revised mix meets identified needs and is supported by appropriate services.

7 Infrastructure contributions and viability

The briefing paper identifies changes to the legal agreement in 2022 and 2025, reportedly following viability assessments and resulting in reductions in infrastructure contributions. The Parish Council requests copies of both variations, together with the original agreement and the viability evidence and assessments relied upon, subject to any properly justified confidentiality restrictions. It also requests a clear comparison identifying the obligations originally secured, those subsequently removed or reduced, and those that would apply to any new permission.

In light of the reported availability of grant funding and the revised delivery arrangements, the Council asks that the justification for any continuing reduction be reviewed where relevant to this application. Any assessment should explain the effects on education, health services, highways and other necessary local infrastructure, taking account of committed development. Contributions should be secured where justified and applicable; the Council does not assume that grant funding automatically reinstates earlier obligations.

8 Contamination investigation and remediation

The Parish Council has particular concerns about the adequacy of contamination investigations and the proposed remediation, given its experience of the Council owned Godkin site in Langley Mill, where contamination has prevented development. The Borough Council is requested to consider the investigation records for both sites and explain what evidence demonstrates that the Hall Road site is suitable, or can be made suitable, for residential development. This should include consideration of any shared historic uses, contaminant sources and potential movement of contamination between the sites. The investigation and remediation strategy should address the revised layout, particularly homes, private gardens and areas where children may play or residents may grow produce. The Parish Council requests that any outstanding evidence needed to establish the feasibility of safe development be obtained before determination, and that any permission secure appropriate remediation and verification before occupation.

Request for committee consideration and proper consultation

The Parish Council formally requests that this application be considered by the Planning Committee, where the applicable arrangements permit, given the significance of the changes, the policy concerns and the level of local interest. Please place this request before the Head of Planning and the Committee Chair, or the appropriate nominated officer and member under the arrangements applicable at determination. The Council requests a written response confirming whether referral is agreed, the reasons for that decision and the procedure applied. If committee consideration is unavailable or declined, please explain the basis for that conclusion and ensure that the referral decision and reasons are recorded on the public application file.

Please ensure that appropriate publicity and consultation have taken place for the revised proposals, and that residents and the Parish Council have an opportunity to comment on any further material amendments or supporting evidence.

For the reasons above, the Parish Council maintains its objection to the application in its present form. It requests that each ground be addressed expressly in the officer's report and that no approval be issued while material deficiencies in the supporting evidence remain unresolved. Please acknowledge receipt and keep the Parish Council informed of amendments, committee arrangements and the eventual decision.

Yours faithfully,

Locum Clerk to Aldercar and Langley Mill Parish Council
On behalf of Aldercar and Langley Mill Parish Council