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**North East
Derbyshire**
District Council

Supplementary Agenda

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Date: Monday, 7 April 2025

To: **Members of the Planning Committee**

Please attend a meeting of the Planning Committee to be held on **Tuesday, 15 April 2025 at 2.00 pm in the Council Chamber**, District Council Offices, 2013 Mill Lane, Wingerworth, Chesterfield S42 6NG.

The meeting will also be live streamed from the Council's website on its You Tube Channel. Click on the following link if you want to view the meeting:

[North East Derbyshire District Council - YouTube](#)

Yours sincerely

Assistant Director of Governance and Monitoring Officer

Members of the Committee

Councillor David Cheetham
Councillor Andrew Cooper
Councillor Peter Elliot
Councillor Mark Foster
Councillor Christine Gare
Councillor Lee Hartshorne (Chair)

Councillor William Jones
Councillor Tony Lacey
Councillor Heather Liggett
Councillor Fran Petersen
Councillor Kathy Rouse

Please notify the Governance Manager, Amy Bryan by 4.00 pm on Friday 11 April 2025 of any substitutions made for the meeting.

For further information about this meeting please contact: Amy Bryan 01246 217391

A G E N D A

6 Late Representations - Summary Update Report - TO FOLLOW (Pages 3 - 13)

(Planning Manager – Development Management)



**North East
Derbyshire**
District Council

Access for All statement

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Planning Committee 15th April 2025

SUMMARY OF LATE COMMENTS/REPORT UPDATE

The aim of this report is to seek to avoid the need for lengthy verbal updates that Planning Officers have sometimes needed to provide in the past at the Planning Committee. In consultation with the Chair, it has been decided that on the evening before committee a summary of all the late comments/representations received so far will be emailed to the Committee Members by the Governance Team.

It is possible that verbal updates will still be required at the meeting as sometimes comments are received at the last minute or Officers may wish to amend their recommendations: however Officers will seek to keep verbal updates to a minimum.

At the meeting Officers will only refer briefly to any key points of the case in the summary that has been emailed, as well as providing the usual verbal update for any additional last minute items.

If Members have any queries about the comments or the application itself please feel free to contact the relevant case officer given beneath the title of each summary below.

PARISH: WINGERWORTH

APPLICATION: 24/00506/MFL

CASE OFFICER: GRAEME COOPER

1. SOURCE OF COMMENTS: Email from applicant

DATE RECEIVED: 04/04/25

SUMMARY:

Request to update conditions requested by DCC Highways, specifically around the wording of condition 18. The applicant considers that the proposed development is not compatible with moving the gates back 10m and there are measures that can be implemented to ensure construction vehicles are not on the highway and can therefore be addressed in the traffic management plan.

OFFICER COMMENTS:

The Highways Authority have suggested that such a condition relating to having gates set back from the highway is required in the interest of highway safety, but agree that the revised position of the access gates don't need to be set back so far into the site. It is proposed that condition 18 is replaced with the 18a and 18b below to deal with the proposed gated access arrangements and that condition 19 is updated accordingly in line with the text below to require a solid bound material back from the highway for a distance of 6m instead of 15m.

Condition 18a - The existing gates to the application site shall remain open during the operational stage of development to allow unhindered vehicular access to the application site for construction vehicles.

Condition 18b - Prior to the development hereby approved becoming operational, details of a revised gated access to the application site shall be submitted to and approved in writing by the Local Planning Authority. The gates shall be set back a minimum of 6m and either open inwards or be of a sliding design. The approved gates shall then be installed in accordance with the approved details prior to the site becoming operational. The gates shall be retained as approved for the lifetime of the development.

Condition 19 - The development hereby permitted shall not commence (other than development associated with this condition) until such time as the access (and any turning space) has been surfaced with tarmacadam, or similar hard bound material (not loose aggregate) for a distance of at least 6m behind the highway boundary and, once provided, shall be so maintained for the operational lifetime of the development.

2. SOURCE OF COMMENTS: Email from local resident (Ping)

DATE RECEIVED: 08/04/25

SUMMARY:

I am writing for the third time, after checking the planning website before the hearing for this proposal next week, and finding that a new document 'Planning Statement Addendum' was added by Ethical Power on 14th March. I cannot let this document go unchallenged and ask that in the interest of fairness and balance this email is circulated before the hearing next week (I have been told that comments can be submitted up to the decision date).

In my previous email objection, I pointed out that the search criteria for the site had changed but this had not resulted in Ethical Power searching for a more appropriate site less damaging to the environment, by their own admission on cost grounds.

This Planning Statement Addendum seems to be a cynical last-minute attempt to justify siting the solar farm on Green Belt land by arguing that the land should now be categorised as Grey Belt.

In the introduction the report explains that it's been produced following the publication of updated policy and guidance, including the Clean Power 2030 Action Plan, The Planning Reform Working Paper: Streamlining Infrastructure Planning and the Planning and Infrastructure Bill - these are quoted from (points 13-20) and set out the government's ambitions for clean power by 2030. These points do not however justify the siting of (relatively small) solar farms such as this in inappropriate locations, at the expense of other environmental factors - the limited benefits do not outweigh the harms.

The document concludes that the updated NPPF Green Belt Assessment means that the site falls within the definition of Grey Belt, as set out in parts a, b and d of para 143 of the NPPF, and that therefore the development is permissible.

The NPPF defines Grey Belt as

'Land in the Green Belt comprising previously developed land and/ or any other land that, in either case, does not strongly contribute to any of purposes (a), (b) or (d) in para 143.

However the statements provided by Ethical Power with regard to parts a, b and d are highly subjective and biased, and many simply untrue- making a statement does not make it true. To address some of these:

(a) to check the unrestricted sprawl of large built-up areas and (b) to prevent neighbouring towns merging into one another:

There are many statements by Ethical Power about the site not being visible and I say again, this is absolutely false. The topography means that it is visible from the higher ground on both sides of Langer Lane. Directly opposite the site to the west of Langer Lane is the area known locally as the old Golf Links which is amenity land full of wildlife used by walkers, with a seat at the top with a view across to the proposed site. Yesterday I walked to the seat (see first photo) and took a photo of the view of the site, see attached (site outlined in third photo). This view will be totally blighted with a solar farm in the middle. Similarly it is visible from the higher ground on Longedge Lane, and some houses on Langer Lane as well as Florence Close and Lilymede Ave.

The document by Ethical Power claims that the brook and row of trees to the north would provide adequate separation of Chesterfield from Wingerworth to define them as separate if the solar farm were to go ahead. This is ridiculous, a small brook and row of mature trees is the sort of feature present within towns and does not give the impression of separate towns.

The document (25) claims that 'the perception is more likely to be one of a slight change in use of the agricultural land from intensive arable farming to one of renewable energy generation, sheep grazing and biodiversity enhancements'.

The solar park would appear to join Chesterfield and Wingerworth by an industrial site. Claims that due to sheep potentially grazing under the panels mean that it retains its agricultural use are meaningless because the panels are what will be visible.

Much is made of the 'temporary' nature of the development (in order to play down the impact) - most reasonable people would not consider 40 years to be temporary in this context.

In conclusion, the statements and supposed justifications for the site meeting the criteria for Grey Belt should be questioned and not seen as statements of fact. The

government have said on several occasions in the media that this is not what is meant by grey belt, and they have cited examples such as disused car parks. This is Green Belt land and, as I quote again the planning officer in his pre application remarks, the proposal is 'unlikely to overcome loss of openness to the Green Belt between Chesterfield and Wingerworth.'

Therefore the 'very special circumstances ' would need to be demonstrated, and the relatively small contribution of green energy this project would make does not outweigh other environmental harms, and would therefore be an example of Greenwashing. A more appropriate site should be sought.





OFFICER COMMENTS:

Officers note the comments and the Planning Statement Addendum should be read in conjunction with the Site Selection Report Addendum Revision A. The latter report confirms that the applicant has undertaken a robust site selection process which has been reported in the report to members at paragraphs 7.62-7.70.

With regards to the site being Grey Belt, officers do not agree that this is the case and this is assessed at paras 7.13-7.21. It should be pointed out that Wingerworth cannot be considered a town for the purposes of assessing the scheme against Purpose B of para 143 of the NPPF, as highlighted in 7.9 of the officer report.

Officers agree that the proposal will be visible from raised ground to the north west but will not extend as far as portrayed on the annotated photo above.

In the interest of clarity, officers are of the view that the likely extent of the solar farm will be more closely aligned to the photos below which are taken from raised land to the north west and from Longedge Lane to the south. Please note that these are estimated sketch ups of the likely extent of the proposed development.

As for what is considered to be temporary, officers note that it is a common consensus by Inspectors that renewable development can be considered temporary. In the recent Coal Aston BESS appeal decision (Ref:) the Inspector stated that there is a *“broad consensus that the temporary nature of such timescales does act to mitigate any harm caused to varying extents. I am therefore satisfied that the proposal is temporary...”*





3. SOURCE OF COMMENTS: Email from applicant

DATE RECEIVED: 11/04/25

SUMMARY:

An email was forwarded to all members of planning committee by the developer providing two documents; including a planning committee briefing and Ethical Powers approach to development. These documents are included in the pages below:



PROJECT OVERVIEW

Langer Lane Solar Farm is a proposed temporary (40yrs) 7.5MW renewable energy generation scheme which would power c. 2,760 homes per annum.

The site is within an area of land assessed as having an Agricultural Land Classification (ALC) of Grade 4 (poor quality). The proposal includes plans for full decommissioning and reinstatement of the land to agricultural at the end of the permission.

Connection is expected by 2027, which given the current strain on the national grid, is a monumental step in tackling climate change sooner.

ENVIRONMENTAL CONSIDERATIONS

- 597m of new species-rich hedgerow with native trees
- Approximately 1.7 acres of wildflower meadow is proposed at the North of the site.
- Areas of mixed shrub and willow shrub are proposed along with species-rich grassland under the solar array, including 8400sqm of natural grassland and 42,345sqm of modified grassland.
- A Biodiversity Net Gain of 68% of on-site habitat units, 107.11% in hedgerow units and 10.22% in river units.
- 3 bat roosting boxes on retained trees throughout the site
- The installation of small mammal gates to enable access through the security fence to the permanent grassland
- No external lighting is proposed.
- A saving of c.1,700 tonnes of CO2 per annum

The site benefits from natural screening and is well contained. Significant new tree and hedgerow planting will further mitigate views into the site.





LANGER LANE SOLAR PARK - PLANNING COMMITTEE BRIEFING



General arrangement



Photomontage of the site at 15 years of operation.

SUPPORTING NORTH EAST DERBYSHIRE DISTRICT COUNCIL CLIMATE CHANGE ACTION PLAN 2024

The Langer Lane Solar Park is a policy-compliant project that supports North East Derbyshire's climate and biodiversity ambitions, while delivering significant community benefits.

Ethical Power's proposed solar park supports North East Derbyshire's Climate Change Strategy by:

- **Delivering Renewable Energy:** Aligning with North East Derbyshire's goal to increase renewable and low-carbon energy supply systems in line with national policy.
- **Enhancing Biodiversity:** The scheme includes significant biodiversity net gain measures, contributing to North East Derbyshire's ecological and green infrastructure targets.
- **Ensuring Sustainable Land Use:** The temporary nature of the project ensures the Green Belt remains undeveloped in the long term while providing renewable energy in the interim. Recent planning decisions have highlighted that construction and operation of solar parks allow the intensively farmed land opportunity to recover and for carbon to be stored.

All comments raised by the technical consultees have been addressed, and the application has been recommended for approval by your officers. We would therefore respectfully request the planning committee permit the application.

ABOUT ETHICAL POWER

Ethical Power is a UK-based renewable energy company which develops and builds solar and battery energy storage projects. Ethical Power is the only independent British renewable energy company with competency across the entire lifecycle of a project, from design through construction and grid connection to asset management.

Ethical Power is committed to delivering clean energy projects which help tackle the devastating impacts of the climate and ecological emergencies.

We are ethical by name and by nature - **we care about the communities** around our projects and ensure every project goes above and beyond the industry standards. As both the developer and the company building the project, we can ensure the local community is actively involved in the project. Additionally, we are committed to delivering a range of benefits that will directly support the local community through a dedicated community benefit fund (CBF). This must be considered outside the planning process.

For more information :
LangerLane@ethical-power.com

www.ethical-power.com

INTRODUCING ETHICAL POWER

OUR GREEN ENERGY INFRASTRUCTURE DEVELOPMENT APPROACH

APRIL 2025



OUR ETHOS

Our solar farms are designed not only to provide renewable energy but also to support the communities in which we operate, contributing to their growth, wellbeing, and sustainability. **With a strong commitment to social responsibility, we ensure our projects create a lasting positive impact.**

We are ethical by nature and ethical by name. Our holistic approach to design and development of renewable energy generation and storage schemes ensures continued use of land, minimal visual impact and positive contribution to the local community, e.g. through our community benefit funds (associated with each project).

In 2025, to amplify our community impact we are setting up a foundation with national reach, helping to address some of the challenges presented by the net zero transition. The **Ethical Power Foundation** will focus on addressing skills and knowledge gaps, offering education and upskilling opportunities to equip communities with the expertise needed to thrive in the net zero economy.

Ethical Power is a renewable energy company headquartered in Devon, UK.

Our in-house capabilities span the entire project lifecycle, which means we can use insights from operational assets to inform our development and design process. That helps us create projects that are efficient, durable and deliver positive long-term impact.

We achieve this by designing in targeted measures that support the local environment.



OUR DEVELOPMENT APPROACH



OUR COMMUNITY ENGAGEMENT INITIATIVES

Open days

Informative sessions that engage local communities from the earliest stages of development to ensure our schemes address the challenges and opportunities highlighted by local stakeholders.

Schools visits and support local business

By engaging with local schools, we can help build a positive narrative around STEM subjects and encourage young people to pursue careers in engineering and related subjects. We participate in informative school sessions and can organise site visits for young adults wanting to learn about our projects.

We engage with local businesses for services supporting the project construction and various events. We use local charity shops where possible to stock up on consumables on sites, and donate materials to local businesses, too.

Events

We invite local stakeholders to our site events, e.g. ground-breaking ceremonies to help them understand our projects better and ensure they are fully informed of the process.

Community benefit funds

Our community benefit funds work in various ways, often with support of local charitable organisations, e.g. by supporting carbon reduction projects, innovative sustainable solutions and energy education campaigns.



NATURE AND LOCAL COMMUNITY

Our project also consider environmental measures that impact the people nearby, e.g.:

- **Hedgerows** - Not only are these fabulous habitats for all sorts of animals, but they also provide a natural screen and noise attenuation barrier for anyone living close by, helping to maintain the original look and feel of the landscape.
- **SUDS** - Sustainable Urban Drainage Strategies. Through the use of things like French drains, swales, and targeted grass/wildflower seeding, we can help divert or attenuate existing surface run-off from heavy rains away from the community, in case the natural flow of the land drainage leads to surface water flooding at sensitive areas such as roads or homes.
- **Native planting** - We only plant trees and wildflowers that the local community has exposure to already. This allows the new structure to feel more like home, and it's great for the wildlife as it's what they are used to! When appropriate, we also try to plant native species that are endangered or at risk to try and help the population recover. Whether it be English Oak or Black Poplar, we promote local flora.

Not only are we building the infrastructure to make clean energy accessible to homes and businesses, but we are also enhancing the environment, creating more habitats, and supporting local communities at the same time.

For more information :
enquiries@ethical-power.com

www.ethical-power.com

OFFICER COMMENTS:

This raises no new material planning considerations.