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SUPPLEMENTARY AGENDA



**North East
Derbyshire**
District Council

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Date: Monday, 1 December 2025

To: **Members of the Planning Committee**

Please attend a meeting of the Planning Committee to be held on Tuesday, 9 December 2025, at 2.00 pm in Council Chamber at the District Council Offices, 2013 Mill Lane, Wingerworth, Chesterfield, S42 6NG.

The meeting will be live streamed from [The Council's YouTube Channel](#).

Yours sincerely

A handwritten signature in cursive script, reading 'Sarah Steuberg'.

Assistant Director of Governance and Monitoring Officer

<u>Members of The Committee</u>	
Councillor L Hartshorne (Chair) Councillor D Cheetham Councillor P Elliott Councillor C Gare Councillor H Liggett Councillor K Rouse	Councillor T Lacey (Vice-Chair) Councillor A Cooper Councillor M Foster Councillor W Jones Councillor F Petersen

Any substitutions must be notified to the [Governance Manager](#) in advance by midday the working day before the meeting.

A G E N D A

Public Session

7 Late Representations - Summary Update Report (Pages 3 - 8)

(Planning Manager – Development Management)

Access for All statement

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Planning Committee 9th December 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: Pilsley

APPLICATION: 25/00703/MFL

CASE OFFICER: Graeme Cooper

1. SOURCE OF COMMENTS: DCC Lead Local Flood Authority (LLFA)

DATE RECEIVED: 28/11/25

SUMMARY:

The applicant made a request to remove condition 30 from the list of conditions due to this information having been provided in the submitted Floor Risk Assessment and Drainage details.

Condition 30 reads: "No development shall take place until a detailed assessment has been provided to and approved in writing by the Local Planning Authority, to demonstrate that the proposed destination for surface water accords with the drainage hierarchy as set out in paragraph 56 Reference ID: 7-056-20220825 of the planning practice guidance."

The LLFA have confirmed that condition 30 has been addressed in the submitted details and is not required.

OFFICER COMMENTS:

Condition 30 can be removed from the list of conditions.

2. SOURCE OF COMMENTS: DCC Highways Authority

DATE RECEIVED: 28/11/25

SUMMARY:

Clarity was requested as to the list of required information included in condition 22.

Condition 22 reads “In the event that replacement battery units are required to be delivered to or removed from the site at any point during the operational lifetime of the development, a Replacement Battery Delivery Management Plan (RBDMP) shall be submitted to and approved in writing by the Local Planning Authority (LPA) prior to such deliveries or removals taking place.

The RBDMP shall include, but not be limited to, the following details:

- Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- Advisory routes for construction traffic;
- Any temporary access to the site;
- Locations for loading/unloading and storage of plant, waste and construction materials;
- Method of preventing mud and dust being carried onto the highway;
- Arrangements for turning vehicles;
- Arrangements to receive abnormal loads or unusually large vehicles;
- Highway Condition survey;
- Methods of communicating the Plan to staff, visitors and neighbouring residents and businesses;
- Details of weight and width restrictions along construction vehicle route;
- Details of traffic generation for the decommissioning of the site;
- Details of internal layout with regards to parking provision, turning area and impact of construction vehicles;
- The anticipated number, size, and type of delivery vehicles;
- The timing and phasing of deliveries and removals;
- Traffic management measures to ensure highway safety and to minimise disruption to other road users;
- Provisions for the temporary holding, loading, or unloading of vehicles within or adjacent to the site; and
- Measures to repair any damage to the public highway arising from such activities.”

DCC Highways Authority officer confirmed that this is an exhaustive list of items which are required in order to provide a comprehensive Replacement Battery Delivery Management Plan (RBDMP) due to the fact that the traffic movements in relation the replacement of battery are unclear in the event this is required.

OFFICER COMMENTS:

Officers recommend that condition 22 should be retained as drafted.

3. SOURCE OF COMMENTS: Historic England

DATE RECEIVED: 02/12/25

SUMMARY:

Thank you for your letter of 27 November 2025 regarding the above application for planning permission.

Historic England provides advice when our engagement can add most value. In this case we are not offering advice. This should not be interpreted as comment on the merits of the application.

We suggest that you seek the views of your specialist conservation and archaeological advisers. You may also find it helpful to refer to our published advice at <https://historicengland.org.uk/advice/find/>

It is not necessary to consult us on this application again, unless there are material changes to the proposals. However, if you would like advice from us, please contact us to explain your request.

OFFICER COMMENTS:

This raises no new material considerations that are not already covered in the report to members.

4. SOURCE OF COMMENTS: Mrs Davies

DATE RECEIVED: 04/12/25

SUMMARY:

I fully support this proposal for all the reasons which have been mentioned in previously submitted letters.

OFFICER COMMENTS:

This comment raises no new material considerations.

5. SOURCE OF COMMENTS: Cllr Gillott

DATE RECEIVED: 04/12/25

SUMMARY:

At the moment I am unable to attend next Tuesday's Committee meeting when this application is due for determination and have passed on my apologies to the Committee Chair since my absence is not meant as a discourtesy to members. I also understand that one of my fellow ward councillors, Councillor Cooper, will be present, although at the time of writing I do not know whether he intends to speak at the meeting. Should my situation change I will notify Democratic Services accordingly.

The Council's Planning procedures only give members 21 days from being notified of an application to call it in, which inevitably means that a call-in decision has to be made when only limited information is known, otherwise members lose their right to automatically have an application determined in public by the Committee rather than under officers delegated powers. Since calling-in the application I have had the opportunity to read the additional hundred plus items of correspondence that have been placed on the NEDDC planning portal site and I have also now read your report to committee.

My grounds for calling-in this application centred on the harm the development would cause to the countryside when balanced against the benefits arising from this application. In making that submission I recognised that the application is for additional infrastructure necessary to increase the use and supply of renewable and low carbon energy and that has to be a factor the Committee must take into account and give significant weight to when determining this application. Indeed, the vast majority of people I have spoken to, as reflected in many of the representations, recognise the importance of infrastructure projects such as this to the country's climate change responsibilities and support this application as a consequence. However, other residents remain of the view that the harm is significant and want the application refused.

I understand that prior to the meeting members of the Committee will have had the opportunity to attend a site visit and so some members will have seen the location for themselves. That visit will assist them in assessing the level of harm to the countryside, far more than any written or oral representations, and help them reach a judgment. Consequently, I do not propose to labour that point which is also covered in your report and in many of the comments submitted online.

A site visit will also help members, if they decide to grant the application, to assess the proposed mitigation measures and, in the knowledge that members have the option to grant the application, it is also appropriate that I cover that eventuality and comment on the proposed mitigation measures and their sufficiency.

As part of the site visit I would ask if you would make the following observations to members on my behalf:

Please ensure that the access route to the site from the proposed entrance on Hallgate Lane is seen by members and the proposed track and the material used to create it is explained to them. That way they will better understand the impact/harm it will have on the countryside and what conditions they need to consider to mitigate that harm, particularly after the construction work is completed and the site becomes operational.

Show members the hedgerows that need to be removed in order to facilitate this development and explain which ones need to be removed permanently if the application is granted and which ones are only being removed to facilitate the construction phase. Should the application be granted members are then better placed to determine whether proposed mitigation measures are sufficient to replace to lost hedgerows.

Members will approach the development from Hallgate Lane whereas the site is most visible from Pilsley Road and so members need to fully appreciate the impact the development will have for anyone viewing the site from that direction. Mitigation measures are proposed to limit the visual harm when viewed from that direction but members will need to fully understand what those measures are and their adequacy if the application were to be granted.

The application raises a number of issues some of which concern the risks associated with this type of infrastructure. However, I appreciate that many of these concerns are not material planning considerations and provided the development complies with the appropriate safety regulation and standards they will not be a matter for the Committee. I notice, however, that following our earlier conversation regarding the fire risk and potential impact on the community, most notably Park House Primary School, you visited the location with an officer of the Derbyshire Fire & Rescue Service and have included their comments and recommendations into your report.

Concerns have been expressed regarding the noise impact that would be caused by this development and your report deals with that issue. Whilst I note the comments in your report, I would ask, if the application is granted, that the Committee give consideration to including a requirement that, after a reasonable period of time after the site becomes operational, noise level tests are undertaken and the results submitted to NEDDC so that residents can be assured that the levels of noise detailed in your report and used as a basis for determining the application are not exceeded.

Finally, I appreciate that this is not a material planning consideration and the Committee has no power to impose a requirement to this effect, I would ask if the Committee would ask the applicant whether they have considered offering the community some community benefit were the application to be granted? If so, could

they clarify what form this might take and whether it would involve conversations with either the Parish Council or Park House Primary School? Whilst any answer will not influence the Committees decision, and I appreciate that this will be made clear were the question to be asked, I do believe it to be a valid question and would have made the point had I been able to attend in person.

Kind regards,

Councillor for the Pilsley & Morton Ward

OFFICER COMMENTS:

The comments of Cllr Gillott don't raise any new material considerations, however officers would provide the following comments:

Site visit – officers will ensure that at the virtual and in person site visits that members are made aware of the access route, the loss of hedgerow and visual impact from key viewpoints.

Fire risk –Derbyshire Fire and Rescue have visited the site with officers and raised no objections to the proposal subject to a Detailed Battery Safety Management Plan and Emergency and Tactical Response Plan which seek to prevent and control any risk which might occur and control how the site will respond to emergencies respectively.

Noise – The request for noise level testing once the site becomes operational is noted, however the Councils EHO did not consider that any noise mitigation and monitoring was necessary.

Community benefit – No such fund has been put forward. The inclusion of such a fund is not material to the determination of this application.

6. SOURCE OF COMMENTS: Applicant

DATE RECEIVED: 05/12/25

SUMMARY:

The applicant has provided evidence of a signed and dated agreement with Natural England relating to Great Crested Newt District Level Licensing in the form of a IACPC certificate. The certificate calculates that a compensatory conservation payment of £7999.20 will be required to fund habitat creation (pond creation) and maintenance period of 25 years.

OFFICER COMMENTS:

Whilst this is a provisional agreement it allows members to safely determine the application.