



Julian Townsend
Executive Director (Operations)
Development Management

Town Hall
Ripley
Derbyshire DE5 3BT
Tel: 01773 570222
Fax: 01773 841523
Email: enquiry@ambervalley.gov.uk
Web: www.ambervalley.gov.uk

Mr Craig McDaid
89 Argyll Road
Ripley
DE53LH
Derbyshire

Mr Giovanni Patania
Windsor & Patania Architects
50 Southbank Road
Edge Hill
Liverpool
L7 9LP

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/2020/0842**) which was valid on the 10 September 2020 for permission for **Part demolition of former theatre building and erection of 20 flats together with the creation of a new vehicular access, parking and associated outdoor amenity space. The new vehicular access is proposed to be opened on Victoria Street, leading to an inner courtyard which will include 14 parking spaces and an outdoor gym (amenity for all the accommodations) at 90 Nottingham Road Somercotes**

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.

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A handwritten signature in black ink, appearing to read 'Julian Townsend', written over a white background.

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

Planning application form
Design and Access Statement
ARBTECH Consulting Ltd Preliminary Ecological Appraisal and Preliminary Roost Assessment Survey
ARBTECH Consulting Ltd P Bat Emergence and Re-entry Surveys
Sanderson Consulting Engineers Ltd Transport Statement
Ark Environmental Consultancy Ltd Suds/Drainage Assessment December 2020

210209_90-94_Nottingham_Rd_Drawings_set received by the Local Planning Authority on 9 February 2021 comprising:

OS Map Drawing no. S-01 Rev 03
Existing floor plan Drawing no. S-02 Rev 03
Existing floor plan Drawing no. S-03 Rev 03
Existing floor plan Drawing no. S-04 Rev 03
Existing elevations Drawing no. S-05 Rev 03
Existing elevations Drawing no. S-06 Rev 03
Existing sections Drawing no. S-07 Rev 03
Proposed floor plan Drawing no. S-08 Rev 03
Proposed floor plan Drawing no. S-09 Rev 03
Proposed floor plan Drawing no. S-10 Rev 03
Proposed floor plan Drawing no. S-11 Rev 03
Proposed elevation Drawing no. S-12 Rev 03
Proposed elevation Drawing no. S-13 Rev 03
Proposed elevation Drawing no. S-14 Rev 03

Reason: To define the terms of the permission.

3. Throughout the construction phase, space shall be provided within the site curtilage for storage of plant and materials, site accommodation, loading and unloading of goods vehicles, parking and manoeuvring of site operatives and visitors vehicles.

Reason: In the interests of highway safety in accordance with saved policies H12 and TP1 of the Adopted Amber Valley Borough Local Plan 2006.

4. Before any other operations are commenced a new vehicular and pedestrian access shall be created to Victoria Road in accordance with the revised application drawings, laid out, constructed and provided with 2.4m x 43m visibility splays in both directions,

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the area in advance of the sightlines being maintained throughout the life of the development clear of any object greater than 1m in height (0.6m in the case of vegetation) relative to adjoining nearside carriageway channel level.

Reason: In the interests of highway safety in accordance with saved policies H12 and TP1 of the Adopted Amber Valley Borough Local Plan 2006.

5. Before any other operations are commenced (excluding creation of the new access, the subject of condition 2 above), the existing vehicular access to Nottingham Road shall be permanently closed with a physical barrier and the existing vehicle crossover reinstated as footway in a manner to be agreed in writing with the Local Planning Authority in consultation with the County Highway Authority.

Reason: In the interests of highway safety in accordance with saved policies H12 and TP1 of the Adopted Amber Valley Borough Local Plan 2006.

6. The premises, the subject of the application, shall not be occupied until space has been provided within the application site in accordance with the application drawings for the parking and manoeuvring of residents vehicles, laid out, surfaced and maintained throughout the life of the development free from any impediment to its designated use and the cycle parking.

Reason: In the interests of highway safety in accordance with saved policies H12 and TP1 of the Adopted Amber Valley Borough Local Plan 2006.

7. There shall be no gates or other barriers within 5m of the nearside highway boundary and any gates shall open inwards only.

Reason: In the interests of highway safety in accordance with saved policies H12 and TP1 of the Adopted Amber Valley Borough Local Plan 2006.

8. No part of the building or its foundations shall be within highway limits.

Reason: In the interests of highway safety in accordance with saved policies H12 and TP1 of the Adopted Amber Valley Borough Local Plan 2006.

9. No development shall take place until a demolition and construction environmental method statement has been submitted to and approved in writing by the local planning authority. The approved statement shall be adhered to throughout the construction period and shall provide for:

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- a) no construction works, or deliveries to and from the site, outside the hours of 08:00-18:00 on weekdays, 08:00-13:00 on Saturdays and not at all on Sundays or public holidays;
- b) measures to control the emission of dust and dirt during construction and from vehicles entering or leaving the site. There shall be no on-site crushing and/or screening of bricks, tiles or concrete;
- c) a scheme for recycling/disposing of waste resulting from construction works;
- d) no burning of materials on-site;
- e) measures for the control of works causing noise or vibration compliant with British Standard BS 5228 'Code of practice for noise and vibration control on construction and open sites';
- f) measures to minimise light trespass and glare from any temporary site lighting.

Reason: This pre commencement condition is required to safeguard the privacy and amenities of the occupiers of adjoining properties in accordance with policy EN16 of the Adopted Amber Valley Borough Local Plan 2006.

10. Prior to the commencement of development, a scheme of biodiversity enhancement shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include, as a minimum, the incorporation of integrated (inbuilt) features on the building for roosting bats and nesting swifts. The enhancement scheme shall be implemented in accordance with the agreed details as construction proceeds and completed prior to the first occupation of the development.

Reason: This is a pre-commencement of works condition in the interests of ecology and biodiversity of the local area in accordance with policy EN13 of the Amber Valley Borough Local Plan 2006.

11. The outside gym hereby permitted shall be used for private/domestic purposes only, and no trade or business shall be carried out therefrom.

Reason: To safeguard the privacy and amenities of the occupiers of adjoining properties in accordance with policy EN16 of the Adopted Amber Valley Borough Local Plan 2006.

12. Prior to works commencing on the flank wall where the existing 'Premier Electric' sign is positioned a scheme shall be submitted to and approved in writing with the local planning authority for the repositioning/re-location and preservation of this signage.

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Reason: To ensure that this feature of historic interest is protected and preserved in accordance with policy LS3 of the Adopted Amber Valley Borough Local Plan 2006.

13. Prior to occupation of the hereby approved flats the Neon sign 'Electric Theatre Estates' shall be installed as shown on drawing no. Proposed elevation S-12 Rev 03 and maintained as such in perpetuity.

Reason: In the interests of visual and historical value in accordance with saved policy LS3 of the Adopted Amber Valley Borough Local Plan 2006.

14. 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:

a. Ark Environmental Consultancy Ltd. (December 2020). SUDS/DRAINAGE ASSESSMENT FOR PLANNING AT 90-94 NOTTINGHAM ROAD, SOMERCOTES, DERBYSHIRE, DE55 4LY. including any subsequent amendments or updates to that document as approved by the Flood Risk Management Team

b. 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.

15. 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 80 reference ID: 7-080-20150323 of the planning practice guidance.

Reason: This is a pre-commencement of works condition to ensure that surface water from the development is directed towards the most appropriate waterbody in terms of flood risk and practicality by utilising the highest possible priority destination on the hierarchy of drainage options in accordance with saved policy EN15 of the Adopted Amber Valley Borough Local Plan 2006.

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16. 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. 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.

Reason: This is a pre-commencement of works condition 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.

17. Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority. This must 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 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.

18. Prior to any of the works on the external elevations/roof of the building(s) are commenced, samples of the materials and finishes to be used in the construction of the external surfaces shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

Reason: To ensure a satisfactory appearance of the completed development in accordance with policies LS3 and H12 of the Adopted Amber Valley Borough Local Plan 2006.

19. The existing boundary treatments shall be repaired and retained in perpetuity.

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Reason: To ensure both the satisfactory appearance of the completed development and an adequate level of amenity for the proposed dwellings in accordance with policies LS3 and H12 of the Adopted Amber Valley Borough Local Plan 2006.

20. The garages/carport hereby permitted shall not be used for the storage of vehicles other than private motor vehicles, and no trade or business shall be carried out therefrom.

Reason: To safeguard the privacy and amenities of the occupiers of adjoining properties in accordance with policy H12 of the Adopted Amber Valley Borough Local Plan 2006.

21. Prior to occupation of the hereby approved development details of soft landscaping works shall be submitted to and approved in writing by the Local Planning Authority. Details shall include: i. planting plans; ii. written specifications (including cultivation and other operations associated with tree/plant and grass establishment); and iii. schedules of trees/plants, noting species, sizes and proposed numbers/densities where appropriate.

Before the end of the first planting season following occupation/first use of any part of the development hereby permitted all soft landscaping shall be carried out and completed in accordance with the approved soft landscaping details.

Any trees or plants which within a period of five years from the completion of the development die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure the satisfactory overall appearance of the completed development and to help assimilate the new development into its surroundings in accordance with policies LS3 and H12 of the Adopted Amber Valley Borough Local Plan 2006.

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Notes

Attention is drawn to the attached notes:

- 1 The Borough Council's Environment Unit advise as follows:

Advisory Note - Asbestos Containing Materials

The existing buildings may contain asbestos-containing materials (ACMs), which must be carefully handled during the demolition process. Demolition activities, including the handling of ACMs, are regulated by Derbyshire Building Control Partnership under the Building Regulations and by the Health and Safety Executive (HSE), so further advice should be sought from them.

General advice in relation to the dismantling of a structure containing asbestos or ACMs is to use a registered asbestos removal contractor to ensure that environmental contamination is minimised. Copies of Consignment Notes should be obtained and kept as proof that the materials have been disposed of at a suitably licensed waste facility. More detailed advice on the safe handling and disposal of ACMs can be found on the Borough Council's website at: <http://www.ambervalley.gov.uk/environment-and-planning/pollution/asbestos.aspx>.

If in any doubt, contact Derbyshire Building Control Partnership (0333 880 2000) and the Health & Safety Executive (0300 003 1747) for advice prior to demolition works commencing.

Advisory Note - Internal Sound Insulation

Where a commercial building is sub-divided, it is important to ensure that the proposed internal division provides reasonable resistance to the transmission of airborne sound via walls, floors and stairs, and to impact sound via floors and stairs, with respect to internally generated noise from residents, from common parts and from building services, such as the proposed garages, waste storage areas and the kitchen/bathroom air extraction systems; as well as transmission of internal noise to any abutting dwellings outside the application site. Noisy kitchen equipment/activities, such as cooking and extraction systems, should not be located on or near to party walls/structures to minimise the transmission of noise.

The development should also comply with the requirements of Approved Document E: Resistance to the passage of sound in Schedule 1 to the Building Regulations 2000 (as amended) and the applicant is advised to contact Derbyshire Building Control Partnership for advice on this matter. It is important to note that Building Regulations may not apply in all cases and that compliance with the Regulations may not be sufficient to prevent noise complaints, so specialist acoustic advice should also be sought. Failure to adequately address this at the construction stage could result in

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future enforcement action in response to complaint and the substantial cost of remedying inadequate sound insulation.

- 2 Pursuant to Section 184 of the Highways Act 1980 and Section 86(4) of the New Roads and Streetworks Act 1991 prior notification shall be given to the Department of Economy, Transport & Environment at County Hall, Matlock regarding access works within the highway. Information, and relevant application forms, regarding the undertaking of access works within highway limits is available via the County Council's website <https://www.derbyshire.gov.uk/transport-roads/roads-traffic/licencesenforcements/vehicular-access/vehicle-accesses-crossovers-and-dropped-kerbs.aspx>

E-mail highways.hub@derbyshire.gov.uk or Telephone Call Derbyshire on 01629 533190.

2. It is recommended that a demarcation be provided between the highway and private land. The applicant may wish to construct this area as footway and seek its adoption, further details regards this can be obtained from Kevin Barton on 01629 538658.

3. The Highway Authority recommends that the first 5m of the proposed access driveway should not be surfaced with a loose material (i.e. unbound chippings or gravel etc). In the event that loose material is transferred to the highway and is regarded as a hazard or nuisance to highway users, the Authority reserves the right to take any necessary action against the householder.

4. Pursuant to Section 163 of the Highways Act 1980, where the site curtilage slopes down towards the public highway, measures shall be taken to ensure that surface water runoff from within the site is not permitted to discharge across the footway margin. This usually takes the form of a dish channel or gully laid across the access immediately behind the back edge of the highway, discharging to a drain or soakaway within the site.

5. 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.

6. Pursuant to Section 127 of the Highways Act 1980, no work may commence within the limits of the public highway to close any redundant accesses and to reinstate the footway without the formal written Agreement of the County Council as Highway Authority. It must be ensured that public transport services in the vicinity of the site are not adversely affected by the development works. Advice regarding the technical, legal,

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administrative and financial processes involved in Section 127 Agreements may be obtained by contacting this Authority via email - highways.hub@derbyshire.gov.uk. The applicant is advised to allow approximately 12 weeks in any programme of works to obtain a Section 127 Agreement.

- 3 Further to condition 15 the LLFA advise that the assessment should demonstrate with appropriate evidence that surface water runoff is discharged as high up as reasonably practicable in the following hierarchy:
- I. into the ground (infiltration);
 - II. to a surface water body;
 - III. to a surface water sewer, highway drain, or another drainage system;
 - IV. to a combined sewer.
- 4 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.
 - C. No part of the proposed development shall be constructed within 5-8m 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 Council's Flood Risk Management team should any guidance on the drainage strategy for the proposed development be required.
 - G. 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.

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- Pipe sizes, pipe materials, gradients, 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.
-
- H. On Site Surface Water Management;
 - The site is required to accommodate rainfall volumes up to the 1% probability annual rainfall event (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 + 40% Climate Change rainfall volumes will be controlled and accommodated. In addition, an appropriate allowance should be made for urban creep throughout the lifetime of the development as per 'BS 8582:2013 Code of Practice for Surface Water Management for Developed Sites' (to be agreed with the LLFA).
 - Production of a plan showing above ground flood pathways (where relevant) for events in excess of the 1% probability annual rainfall event, 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 100% probability annual rainfall event and the 1% probability annual 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 6 hour 1% probability annual rainfall event must not exceed the greenfield runoff volume for the same event.

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- For developments which have been previously developed, the runoff volume from the development to any highway drain, sewer or surface water body in the 6 hour 1% probability annual 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 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 the 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.
- I. 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% probability annual rainfall event + 40% climate change standard. An appropriate factor of safety should be applied to the design in accordance with CIRIA C753 - Table 25.2.

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- 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.

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

K. 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.

- 5 The applicant is advised to incorporate the provision of 32mm water riser in the hereby approved development in the interests of safety for future occupiers or users of the building.
- 6 The applicant is requested to consider the use of electric car charging points and solar panels in the scheme in the interests of climate change.
- 7 Further to condition 12 the Applicant is advised to discuss with local museums and The Cinema Association the potential relocation/preservation of the signage.

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:

LS1 - Sustainability criteria

LS2 - Community Safety

LS3 - Design

H3 - Housing development within settlements

H12 - Design and amenity considerations

TP1 - Impact on the Transport Network

TP6 - Parking

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EN13 - Nature Conservation

EN16 - Pollution

EN18 - Derelict, Unstable And Contaminated Land

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.

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.

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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. Alternatively you can register on 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

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.