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

Wheeldon Brothers Ltd
Wheeldon House
Prime Parkway
Derby
DE1 3QB

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/2020/0882**) which was valid on the 25 September 2020 for permission for **Development of 21 dwellings on a brownfield site, including associated infrastructure and open space, part of the wider redevelopment of the former industrial use site. (This is a Departure from the Development Plan) at TAPTON ESTATES LTD Derwentside Industrial Park Derby Road**

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.

2. The development hereby permitted shall be carried out only in accordance with the details and specifications shown on the following:

Date : 27 April 2021

Signed

Julian Townsend
Executive Director (Operations)

Site Location Plan BDS/PL/04
Existing Site Plan BDS/PL/01
Proposed Site Plans BDS/PL/03B
Proposed Diagrammatic Street Scene Site Sections BDS/PL/04
Proposed Diagrammatic Street Scene Site Sections BDS/PL/05
Arboricultural Assessment Dec 2020
Arboricultural Method Statement Dec 2020
Site Specific House Types
Alderwood RH(AS) BDS/ALD_RH(AS)sb/PL/01 rev A 05/08/20
Chestnut LH(AS) CHE/LH(AS)sb/PL/01 rev C 10/12/19
Cooper (AS) CPR(AS)sb/PL/01 rev B 10/12/19
Nightingale MID(AS) NTG/MID(AS)sb/PL/01 10/12/19

Reason: To ensure that the development takes the form envisaged by the Local Planning Authority when determining the application in accordance with policy LS3 of the Adopted Amber Valley Borough Local Plan 2006.

3. Prior to the occupation of any dwelling hereby approved, details of measures to minimise the potential for antisocial behaviour and activity within the parking courtyards shall be submitted to and agreed in writing by the Local Planning Authority. The agreed measures shall be fully implemented on site and retained throughout the life of the development.

   Reason: To minimise the potential for crime and antisocial behaviour in accordance with policy LS2 on the Adopted Amber Valley Borough Local Plan 2006.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) no development relating to Class A of Part 2 of Schedule 2 (erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure) shall be undertaken without the prior written approval of the Local Planning Authority.

   Reason: To protect the character and visual amenities of the locality in accordance with policies LS3 and of the Adopted Amber Valley Borough Local Plan 2006.

5. The development shall be undertaken fully in accordance with the specifications and recommendations of the submitted Arboricultural Method Statement dated Dec 2020.

Date : 27 April 2021 Signed

Julian Townsend
Executive Director (Operations)

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 EN8 of the Adopted Amber Valley Borough Local Plan 2006.

6. Notwithstanding the submitted 'on plot' landscaping drawings, prior to construction of work above ground being commenced, details of all on plot 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 and should reflect upon the advice within the agreed Arboricultural Assessment.

   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 EN8 of the Adopted Amber Valley Borough Local Plan 2006.

7. Notwithstanding the submitted landscape proposals, including General Arrangement plan, prior to construction of work above ground being commenced, details of all estate (non-plot) hard and soft landscaping details shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
   Before the end of the first planting season following occupation of any dwelling/first use of any part of the development hereby permitted all soft landscaping appropriate to the plot 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

Date : 27 April 2021 Signed

Julian Townsend
Executive Director (Operations)

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 EN8 of the Adopted Amber Valley Borough Local Plan 2006.

8. No development shall take place above slab level of the dwellings until there has been submitted to and approved in writing by the Local Planning Authority details and samples of all the materials and finishes to be used for the external elevations and roof of the dwellings, and the development shall be carried out with those materials.

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

9. No development shall take place above slab level of the dwellings until there has been submitted and approved in writing

   - window surround features;
   - dormer details;
   - entrance canopy details;
   - window frame material and finished colour;
   - entrance door pattern, material, finish and colour;
   - PV panels details and the plots to which such shall be incorporated

   The development shall be carried out in accordance with the approved details

   Reason: To ensure the satisfactory appearance of the completed development in accordance with policies LS3, EN27 and EN29 of the Adopted Amber Valley Borough Local Plan 2006.

10. Prior to first occupation of any dwelling, a scheme for the provision for electric vehicle charging to serve the dwellings shall be submitted to and approved in writing by the Local Planning Authority. EV charging points that are agreed shall be provided prior to the occupation of the associated dwelling. Once provided the charging points shall be retained thereafter.

Date : 27 April 2021 Signed



Julian Townsend
Executive Director (Operations)

Reason: In accordance with policy LS3 and EN36 of the Adopted Amber Valley Borough Local Plan 2006.

11. The installation of integrated swift boxes and a range of bat boxes within the new dwellings shall be implemented in accordance with a scheme to first be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The scheme shall include a timetable for implementation relative to the completion of the development hereby approved. Thereafter the approved enhancement scheme shall be implemented in full and be retained as such thereafter.

    Reason: This pre commencement condition is required to ensure the development does not have an adverse impact upon species specifically protected under the schedules of the Wildlife and Countryside Act 1981 in accordance with policy EN13 of the Adopted Amber Valley Borough Local Plan 2006.

12. No development shall take place until full construction details of any areas which are not to become part of the adopted highway, including pathways, shared driveways and parking courtyards (including materials and finishes), have been submitted to and approved in writing by the Local Planning Authority. The development shall, thereafter be constructed in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

    Reason: This is a pre-commencement of works condition to ensure the satisfactory appearance of the completed development in accordance with policies LS3 of the Adopted Amber Valley Borough Local Plan 2006.

13. Prior to works above ground level commencing, details shall be submitted to and approved in writing by the Local Planning Authority showing the means to prevent the discharge of water from the drives/accesses/shared drives onto the proposed adopted highway. The approved scheme shall be undertaken and completed prior to the first use of the access and retained as such thereafter.

    Reason: To ensure that there are adequate facilities for the disposal of foul and surface water in accordance with policy TP1 of the Adopted Amber Valley Borough Local Plan 2006.

14. The garages/parking spaces hereby permitted shall be kept available for the parking of motor vehicles at all times. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and/or re-enacting that Order) the garage/car parking space(s) hereby permitted shall be

Date : 27 April 2021 Signed



Julian Townsend
Executive Director (Operations)

retained as such and shall not be used for any purpose other than the garaging of private motor vehicles associated with the residential occupation of the property without the grant of further specific planning permission from the Local Planning Authority.

Reason: To safeguard the privacy and amenities of the occupiers of adjoining properties in accordance with policies H12 and TP6 of the Adopted Amber Valley Borough Local Plan 2006.

15. Notwithstanding any approved drawing, no dwelling shall be occupied until full details of the proposed treatment of the boundary(ies) of any plot or any part of the site have been submitted to and approved by the Local Planning Authority. Any agreed scheme shall be implemented in full in accordance with a phasing scheme.

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

16. a) The development shall be undertaken in strict compliance with the requirements contained within the Geomatters Remedial Method Statement, dated November 2020, ref: GML19102/7/6 (the "RMS"). Any proposed revisions to the RMS must be submitted and approved in writing by the Local Planning Authority prior to any changes in remediation methods.
    b) If during development works, any contamination is encountered which was not previously identified and is derived from a different source and/or of a different type to those already identified, then no further works shall take place until a revised RMS is submitted to and approved in writing by the Local Planning Authority and the works shall then be carried out in accordance with the revised RMS.
    c)If during development work, site contamination is found in areas previously expected to be uncontaminated, then the remediation of those areas shall be carried out in accordance with the approved RMS.
    d)No building shall be occupied unless and until a Verification Report in accordance with the RMS has been submitted to and approved in writing by the Local Planning Authority.
    e)All investigations, assessments and reports must be carried out by a suitably qualified competent person previously agreed in writing by the Local Planning Authority and in accordance with the Environment Agency publication Land contamination: risk management (LCRM).

Date : 27 April 2021

Signed



Julian Townsend
Executive Director (Operations)

Reason: The undertaking of a site investigation prior to the commencement of development is necessary to ensure that adequate information pertaining to risks arising from land contamination is available to inform an assessment that the site is either suitable for its proposed use or appropriate remedial measure could make the site suitable for its proposed use. In order to ensure the safety of the development, in accordance with paragraphs 178 and 179 of the National Planning Policy Framework.

17. Before any other operations are commenced, space shall be provided within the site for storage of plant and materials, site accommodation, loading, unloading and manoeuvring of goods vehicles, parking and manoeuvring of employees and visitors vehicles, laid out and constructed in accordance with detailed designs first submitted to and approved in writing by the Local Planning Authority. Once implemented the facilities shall be retained free from any impediment to their designated use throughout the construction period.

    Reason: In the interests of the safety of the users of the access and public highway safety in general in accordance with policy TP1 of the Adopted Amber Valley Borough Local Plan 2006.

18. Throughout the period of development vehicle wheel cleaning facilities shall be provided and retained within the site. All construction vehicles shall have their wheels cleaned before leaving the site in order to prevent the deposition of mud and other extraneous material on the public highway.

    Reason: In the interests of the safety of the users of the access and public highway safety in general in accordance with policy TP1 of the Adopted Amber Valley Borough Local Plan 2006.

19. No development shall take place until full construction details of the Private Lane (including layout, levels, gradients, surfacing and means of surface water drainage) have been submitted to and approved in writing by the Local Planning Authority. The development shall, thereafter be constructed in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

    Reason: In the interests of the safety of the users of the access and public highway safety in general in accordance with policy TP1 of the Adopted Amber Valley Borough Local Plan 2006.

Date : 27 April 2021

Signed

Julian Townsend
Executive Director (Operations)

20. The shared surface carriageway of the proposed Private Lane shall be constructed in accordance with Condition 19 above up to and including at least road base level, prior to the commencement of the erection of any dwelling intended to take access from that road(s). The shared surface carriageway shall be constructed up to and including base course surfacing to ensure that each dwelling prior to occupation has a properly consolidated and surfaced shared surface carriageway, between the dwelling and the existing highway. Until final surfacing is completed, the base course shall be provided in a manner to avoid any upstands to gullies, covers, kerbs or other such obstructions within or abutting the shared surface carriageway. The shared surface carriageway in front of each dwelling shall be completed with final surface course within twelve months (or three months in the case of a shared surface road) from the occupation of such dwelling, unless otherwise agreed in writing by the Local Planning Authority.

    Reason: In the interests of the safety of the users of the access and public highway safety in general in accordance with policy TP1 of the Adopted Amber Valley Borough Local Plan 2006.

21. No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed Private Lane (including details of signage and other measures to maintain its private status) within the development have been submitted to and approved by the local planning authority. The Private Lane shall thereafter be maintained in accordance with the approved management and maintenance details until such time as a Private Management and Maintenance Company has been established.

    Reason: To ensure both the satisfactory appearance of the completed development and an adequate level of amenity for the proposed dwellings in accordance with policy TP6 Adopted Amber Valley Borough Local Plan 2006.

22. Prior to first occupation of the dwellings the existing vehicular/pedestrian access to Derby Road shall be modified all in accordance with the requirements of Condition 7 of AVA/2017/0374.

    Reason: In the interests of the safety of the users of the access and public highway safety in general in accordance with policy TP1 of the Adopted Amber Valley Borough Local Plan 2006.

23. No dwelling shall be occupied until space has been provided in accordance with the approved drawings for off-street car parking.

Date : 27 April 2021

Signed



Julian Townsend
Executive Director (Operations)

Reason: To ensure both the satisfactory appearance of the completed development and an adequate level of amenity for the proposed dwellings in accordance with policy TP6 Adopted Amber Valley Borough Local Plan 2006.

24. There shall be no gates or barriers within 5m of the Private Lane boundary and any such gates shall open inwards only.

Reason: In the interests of the safety of the users of the access and public highway safety in general in accordance with policy TP1 of the Adopted Amber Valley Borough Local Plan 2006.

25. The proposed driveways shall be no steeper than 1:12 and shall be constructed of a solid bound material.

Reason: In the interests of the safety of the users of the access and public highway safety in general in accordance with policy TP1 of the Adopted Amber Valley Borough Local Plan 2006.

26. Prior to the occupation of any dwelling the agreed details for the arrangements of bin collection/temporary storage of bins on collection day shall be implemented and such shall be retained for the life of the development.

Reason: To safeguard amenities of the occupiers of adjoining properties and in the interest of highway safety in accordance with policies TP1 and EN16 of the Adopted Amber Valley Borough Local Plan 2006.

27. No dwelling hereby permitted shall be occupied until surface water drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in Annex F of PPS25 (or any subsequent version), and the results of the assessment provided to the Local Planning Authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:

i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;

Date : 27 April 2021 Signed



Julian Townsend
Executive Director (Operations)

ii. include a timetable for its implementation; and

iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason: In the interests of the safety of the users of the access and public highway safety in general in accordance with policy TP1 of the Adopted Amber Valley Borough Local Plan 2006.

Notes

Attention is drawn to the attached notes:

1 This consent is accompanied by a Section 106 legal agreement the terms of which must be fully complied with.

2 The applicant attention is drawn to the consultation response of the Local Lead Flood Authority advising that the surface water generated by the proposals will be managed by the sustainable drainage scheme proposed under development approved under AVA/2017/0374. However, any increase in permeable area as a result of an increase in housing density will be required to be accommodated in the detailed drainage design put forward under the future application to discharge the relevant conditions of AVA/2017/0374.

3 The applicant is advised that the roofing materials should be of a single colour, unless justified on a rational basis to include minor colour variations, but not stark contrasts that would be visible in long views across the Derwent Valley and into the site from the east.

4 The developer is advised to make separate enquiries with broadband providers and ensures that future occupants have access to sustainable communications infrastructure, giving appropriate thought to the choice and availability of providers which can offer high speed data connections. More information on how to incorporate broadband services as part of the design of new development is available by following the link below:

https://www.gov.uk/government/publications/better-connected-a-practical-guide-to-utilities-for-home-builders

Date : 27 April 2021 Signed



Julian Townsend
Executive Director (Operations)

5 The applicant is advised in relation to the noise mitigation condition 12 of AVA/2017/0374 as follows.

The original noise assessment to which condition 12 of AVA/2017/0374 refers found that the site is relatively noisy due to traffic on the A6, which runs alongside the western boundary of the site, although noise levels decrease further east and at the north of the site, as they are further from the road and partially screened. At the time of the Outline application, the site layout was indicative, so required review at the detailed design stage. The 'Addendum to Noise Assessment' (Ref: R20.0307/DRK, Noise & Vibration Consultants Ltd., 25 March 2020), submitted under COND/2020/0064 to discharge condition 12, referenced drawing 'External Works Layout_BDS_100_Rev-, 03.03.20', which shows the same layout/design as the original assessment for the Outline application. Although most of the dwellings further from the road benefit from the distance attenuation and screening, the Addendum stated that the most noise-sensitive plots; i.e. 102-105 & 110-111, required specific mitigation measures. As the 'Proposed Site Plans' submitted under AVA/2020/0862 and AVA/2020/0882 (which, together, make up the whole site) differ from that on which the partial discharge approval was given, the plots referred to above are no longer correct (i.e. now 121-127). The developer is therefore advised to ensure that the recommended mitigation measures are applied to the appropriate plots and that the verification report, required by the condition prior to full discharge, takes into consideration changes to the site layout/design affecting identified noise-sensitive areas.

6 The applicant is encouraged to consider the points below to be incorporated into any landscaping plans:

- The scheme has some standard landscape plants which it is advised be omitted from the scheme, such as the reliance on, Laurel and Viburnum and Carpinus hedges. The planting scheme needs to follow more closely the landscape character of the Derwent Valley, and the localised variation of the character of the wooded valley slopes in Belper.
- The use of Hazel, Field Maple or Holly, and the replacement of Hornbeam to Beech for hedgerows;
- Clarification of the height of the Advanced Standard Trees in the focal areas of the scheme. The schedule shows them all as being below a metre;

Date : 27 April 2021 Signed



Julian Townsend
Executive Director (Operations)

- Details of the materials of hard surfacing of pathways, shared driveways and car park areas throughout the development.

7 The applicant is advised of the following points in respect of highway matters:-

- 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 run-off from within the site is not permitted to discharge across the footway margin. This usually takes the form of a dish channel or gulley laid across the access immediately behind the back edge of the highway, discharging to a drain or soakaway within the site.

- 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.

- Pursuant to Section 278 of the Highways Act 1980 and the provisions of the Traffic Management Act 2004, no works may commence within the limits of the public highway 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, administrative and financial processes involved in Section 278 Agreements may be obtained from Mr K Barton in Development Control at County Hall, Matlock (tel: 01629 538658). The applicant is advised to allow approximately 12 weeks in any programme of works to obtain a Section 278 Agreement.

- The Highway Authority is obliged to serve notice on the developer, under the provisions of the Advance Payments Code part of the Highways Act 1980 (section 219 / 220), to financially secure the cost of bringing up the estate streets up to adoptable standards at some future date. This takes the form of a cash deposit equal to the calculated construction costs and may be held indefinitely. The developer normally discharges his obligations under this Act by producing a layout suitable for adoption and entering into an Agreement under Section 38 of

Date : 27 April 2021 Signed

Julian Townsend
Executive Director (Operations)

the Highways Act 1980, or by building roads to a suitably robust standard to enable them to be exempt and the cash deposit returned.

- Highway surface water shall be disposed of via a positive, gravity fed system (ie; not pumped) discharging to an approved point of outfall (eg; existing public sewer, highway drain or watercourse) to be sanctioned by the Water Authority (or their agent), Highway Authority or Environment Agency respectively. The use of soakaways for highway purposes is generally not sanctioned.

- Pursuant to Section 50 (Schedule 3) of the New Roads and Streetworks Act 1991, before any excavation works are commenced within the limits of the public highway, at least 6 weeks prior notification should be given to the Executive Director Economy, Transport and Environment at County Hall, Matlock (tel: 01629 533190 and ask for the New Roads and Streetworks Section).

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:

In detail:

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.

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.

Date : 27 April 2021 Signed

Julian Townsend
Executive Director (Operations)

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.**

pe