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 Peter Hill
8 Hall View
Bradbury Place
Chatsworth Road
Chesterfield
S40 2BX
United Kingdom

Ms Alice Grant
Chiles Evans + Care Architects
24 Byron Road
Netheredge
Sheffield
S71RY

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/2020/0978**) which was valid on the 27 October 2020 for permission for **Proposal for a new two storey dwelling with adjacent car parking and shed. at 3 Taylors Yard Market Place Crich**

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 shall be carried out in accordance with the details contained in the submitted plans and documents listed below and with the conditions attached to this permission:

   Site location plan - drawing P01 Rev 04
   Proposed elevations and section - drawing P04 Rev B

Date : 9 July 2021

Signed

Julian Townsend
Executive Director (Operations)

Proposed plans (site layout, ground and first floor plans, roof plan) - drawing P03 Rev B

Reason: In order to define the permission

3. Notwithstanding the details submitted with the application, no development shall take place to the external elevations and / or roof of the proposed dwelling until there has been submitted to and approved in writing by the Local Planning Authority details and / or samples of all the materials and finishes to be used for the external elevations and roof of the proposal, and the development shall be carried out in accordance with the approved materials.

   The details to be submitted shall include:

   full details and samples of all facing and roofing materials, including colours and finishes
   samples of stonework rebuilding, including mortar mix, joint thickness, profile and texture
   details of the relationship of the openings to the standing seam joints of the cladding system
   details of the hidden gutter and ridge detail

   Reason: To ensure the satisfactory appearance of the completed development in accordance with policies LS3, H12 and EN27 of the Adopted Amber Valley Borough Local Plan 2006.

4. Notwithstanding the details submitted with the application, prior to installation, precise details of all new windows and doors shall be submitted to and approved in writing by the Local Planning Authority. The windows and doors shall be installed fully in accordance with the approved details.
   The details to be submitted shall include:

   full details of all windows and doors, including roof lights, to include all colours and finishes

   Reason: To ensure the works are carried out in a way which respects the special appearance and character of the Conservation Area in accordance with policies LS3 and EN27 of the Adopted Amber Valley Borough Local Plan 2006.

Date : 9 July 2021 Signed

Julian Townsend
Executive Director (Operations)

5. Notwithstanding details submitted with the application, no development shall take place on the external elevations or roof of the proposal until there has been submitted to and approved in writing by the Local Planning Authority details of the size and design of the solar panels to be fixed to the eastern facing roof elevation, together with the means of fixing it to the roof and detail of any modification to the standing seam cladding. The solar panel shall be installed in accordance with the approved details and no further modification to the roof made to support the panel without the prior written approval of the Local Planning Authority.

   Reason: To ensure the satisfactory appearance of the completed development in accordance with policies LS3, H12 and EN27 of the Adopted Amber Valley Borough Local Plan 2006.

6. Notwithstanding the details submitted with the application, no work shall commence upon the erection of the shed and bin store until details of the timber cladding, including finish and colour have been submitted to and approved in writing by the Local Planning Authority. The shed and bin store shall be erected in accordance with the approved details.

   Reason: To ensure the satisfactory appearance of the completed development in accordance with policies LS3, H12 and EN27 of the Adopted Amber Valley Borough Local Plan 2006.

7. Prior to occupation of the hereby approved dwelling, full details of the proposed treatment of the boundaries of the site shall be submitted to and approved by the Local Planning Authority. Any agreed scheme shall be implemented in full in accordance with a phasing scheme prior to the occupation of the development.

   Reason: To ensure both the satisfactory appearance of the completed development in accordance with policies LS3, H12 and EN27 of the Adopted Amber Valley Borough Local Plan 2006.

8. Prior to the commencement of work on the site an arboricultural method statement and tree protection plan and tree protection information shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Date : 9 July 2021

Signed

Julian Townsend
Executive Director (Operations)

Reason: In order to provide suitable protection for trees in the vicinity of the site in accordance with Saved Policy EN27 of the Adopted Amber Valley Borough Local Plan 2006.

9. Prior to the commencement of the construction of the building details of a hard landscaping scheme shall be submitted to and approved in writing by the local Planning Authority. All hard landscaping shall be carried out and completed in accordance with the approved details.

   Reason: To ensure the works are carried out in a way which respects the special appearance and character of the Conservation Area in accordance with policies LS3 and EN27 of the Adopted Amber Valley Borough Local Plan 2006.

10. No construction or demolition works, movement of construction traffic, or deliveries to and from the premises, shall occur other than between 0800 and 1800 hours weekdays, and 0800 and 1300 hours on Saturdays, and at no time on Sundays or Public Holidays.

    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.

11. Prior to commencement of development, a construction traffic management plan shall be submitted to and approved in writing by the Local Planning Authority to provide the following:

    parking of vehicles of site operatives and visitors
    hours of operation
    method of prevention of debris being carried onto the highway
    pedestrian and cyclist protection
    proposed temporary traffic restrictions
    arrangements for turning vehicles

    The plan shall be adhered to throughout the construction process fully in accordance with the agreed details.

Date : 9 July 2021 Signed



Julian Townsend
Executive Director (Operations)

Reason: In the interests of highway safety during the construction process, as required by policy TP1 of the Amber Valley Borough Local Plan 2006.

12. Prior to occupation of the hereby approved dwelling, space within the application site shall be provided for the parking of one vehicle as shown on drawing number P03 Rev B. The parking space shall be maintained in perpetuity for parking purposes for the life of the development.

    Reason: To ensure satisfactory parking is provided for the dwelling, in the interests of highway safety as required by policy TP6 of the Amber Valley Borough Local Plan 2006.

13. Prior to commencement of use of the hereby approved car parking space, 2m x 2m x 45 degree pedestrian intervisibility splays shall be provided on either side of the driveway at the back of the access route, the splay area being maintained throughout the life of the development clear of any object greater than 0.6m in height relative to footway level.

    Reason: To ensure satisfactory visibility, in the interests of highway safety as required by policy TP1 of the Amber Valley Borough Local Plan 2006.

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order) no development relating to Class A, B, C, D, E of Part 1 of Schedule 2 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, H12 and EN27 of the Adopted Amber Valley Borough Local Plan 2006.

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order) no windows (other than those approved by this permission) shall be formed on the elevations of the hereby approved development without the prior written approval of the Local Planning Authority.

Date : 9 July 2021

Signed



Julian Townsend
Executive Director (Operations)

Reason: To safeguard the character and appearance of the Conservation Area as required by policy EN27 of the adopted Amber Valley Borough Local Plan 2006.

Notes
Attention is drawn to the attached notes:

1 The council will encourage the developers to help to meet the Government's commitments to achieve net-zero carbon emissions by 2050, and to meet the NPPF's environmental objective of mitigating and adapting to climate change, including moving to a low carbon economy, through the inclusion of on-site renewable energy generation, the de-carbonising of heating systems and enhanced levels of insulation.

2 The access route to the site is that of a Public Right of Way (Footpath 86 on the Derbyshire Definitive Map). The route must remain unobstructed on its legal alignment at all times and the safety of the public using it must not be prejudiced either during or after development works take place. Further advice can be obtained by calling 01629 533262.

Please note that a planning permission is not consent to divert or obstruct a public right of way.

If it is necessary to temporarily obstruct a right of way to undertake development works then a temporary closure is obtainable from the County Council.

3 Development Low Risk Area - Standing Advice

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

4 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

Date : 9 July 2021 Signed

Julian Townsend
Executive Director (Operations)

responsibility to ensure that all reasonable steps (eg. street sweeping) are taken to maintain the roads in the vicinity of the site to a satisfactory level.

5 The Highway Authority recommends that the first 5m of the proposed driveway should not be surfaced with a loose material (ie unbound chippings and 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.

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
LS3 - Design
H3 - Housing development within settlements
H12 - Design and amenity considerations
TP1 - Impact on the Transport Network
TP6 - Parking
EN13 - Nature Conservation
EN24 - Listed Buildings
EN27 - Conservation Areas
EN18 - Derelict, Unstable And Contaminated Land
EN36 - Renewable Energy

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.

Date : 9 July 2021 Signed

Julian Townsend
Executive Director (Operations)

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, sunlight/daylight, character and design, landscape or heritage features and highway safety.

Date : 9 July 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