



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

Ms J Olive, Ms D Haigh
And Carter Construction Ltd
C/o Agent
Derby
DE22 3GR

Mr Doug Moulton
Enzygo Ltd
Samuel House
5 Fox Valley Way
Sheffield
S36 2AA

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/2021/0693**) which was valid on the 18 June 2021 for permission for **Erection of single dwelling and associated infrastructure at Land At Copthorne Drive Eachwell Lane Alferton**

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 listed below and with the conditions attached to this consent:

Site Location Plan drg BE-0273A - 001 Revision P3
Block Plan drg BE-0273A - 002 Revision P3
Proposed Site Plan drg BE-0273A - 004 Revision P3

Date : 1 November 2021

Signed

A handwritten signature in black ink, appearing to read 'Julian Townsend', is written over a light blue horizontal line.

Julian Townsend
Executive Director (Operations)

Soft Landscape drg - SHF.1772.001.ENZ-XX-00-DR-L-45-02 Revision PL03
Proposed Floor Plans - drg BE-0273A-101 Revision P3
Proposed Elevations - drg BE-0273A - 201 Revision P3

Reason: In order to define the permission.

3. The hereby approved development shall be undertaken fully in accordance with the approved proposed materials schedule prepared by Brooklyn Ellis document title/revision: Materials Schedule - REV A, Job reference: BE - 0273A. Any variation to the proposed external materials shall be first submitted to and approved in writing by the Local Planning Authority prior to installation, be installed fully in accordance with the approved details and be maintained in perpetuity for the life of the development.

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

4. Prior to first occupation of the hereby approved dwelling, the boundary treatment as shown on drawing number BE-0273A - 004 Rev P3 shall be provided in full. Once installed the boundary treatment shall be maintained in perpetuity for the life of the development.

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

5. The gas protection measures required by the report Sirius Addendum Ground Gas Risk Assessment Letter, dated 30th April 2020, ref: C8532/9223/DCB shall be fully undertaken on site and documented in a Verification Report which shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the hereby approved dwelling.

Reason: To ensure the development is built free from unacceptable levels of ground-gas in accordance with Policy EN18 of the Adopted Amber Valley Borough Local Plan 2006.

6. The hereby approved dwelling shall be protected from road traffic noise in accordance with the advice in the 'Noise Impact Assessment' by Spectrum Acoustic Consultants (Report Ref. PJB7847/16227, June 2016) and the supplementary noise assessment (Report ref: PJB7931/16227, 13 October 2016), or any subsequent agreed amendments, such that the following noise levels are not exceeded:

Date : 1 November 2021

Signed



Julian Townsend
Executive Director (Operations)

- an LAeq,16hr of 55-57dB* (free field) in the outdoor living areas between 07:00 and 23:00 hours (*where the noise assessment states that levels below 57dB LAeq,16 hours can be achieved, this must be done);
- an LAeq,16hr of 35dB inside the living rooms and bedrooms between 07:00 and 23:00 hours;
- an LAeq,16hr of 40dB inside the dining rooms/areas between 07:00 and 23:00 hours;
- an LAeq,8hr of 30dB and an LMax,fast of 45dB inside the bedrooms between 23:00 and 07:00 hours.

Any acoustic barriers shall be maintained to the standard of the approved specification. A further acoustic report verifying compliance with the above shall be submitted to, and approved in writing by, the Local Planning Authority before occupation of any of the dwellings.

The developer shall notify prospective occupants of the dwellings of the standard of sound insulation installed and, where necessary, of the need to keep windows and doors closed (using the alternative ventilation provided) to obtain its full benefit.

Reason: In the interests of protecting residential amenity in accordance with Policy EN16 of the Adopted Amber Valley Borough Local Plan 2006.

7. The soft landscape scheme shall be implemented on site fully in accordance with drawing number SHF.1772.001.ENZ-XX-00-DR-L-45-02 Rev PL02.

Before the end of the first planting season following occupation of the dwelling hereby permitted all soft landscaping shall be carried out and completed in accordance with the specified 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 policy H12 of the Adopted Amber Valley Borough Local Plan 2006.

8. The hereby approved dwelling shall not be occupied until off-street car parking has been provided within the site curtilage in accordance with drawing BE-0273A - 004

Date : 1 November 2021

Signed



Julian Townsend
Executive Director (Operations)

Revision P3. Once provided the off-street car parking spaces shall be maintained in perpetuity for the life of the development.

Reason: In the interests of highway safety in accordance with Policy TP6 of the Adopted Amber Valley Borough Local Plan 2006.

9. 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.

10. 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 and EN16 of the Adopted Amber Valley Borough Local Plan 2006.

11. No development shall take place until construction details of the private access road (including layout, levels, gradients, surfacing and means of surface water drainage) have been submitted to and approved 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.

12. No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved by the local planning authority. The streets shall thereafter be maintained in accordance with the approved management and

Date : 1 November 2021

Signed



Julian Townsend
Executive Director (Operations)

maintenance details until such time as a private management and maintenance company has been established.

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.

13. The proposed private access road serving the development shall be constructed in accordance with Condition 12 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.

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 "The applicant is strongly urged to help meet the Government's commitments to achieve net-zero carbon emissions by 2050, and to meeting the NPPF's environmental objective of mitigating and adapting to meet climate change, including moving to a low carbon economy. Therefore, the applicant is strongly urged to include on-site renewable energy generation (e.g. solar panels), the de-carbonising of heating systems (e.g. air-/ground-source heat pumps) and enhanced levels of insulation beyond those required by present building standards."

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:

EN18 - Derelict, Unstable And Contaminated Land

Date : 1 November 2021

Signed



Julian Townsend
Executive Director (Operations)

LS1 - Sustainability criteria
LS3 - Design
H3 - Housing development within settlements
H12 - Design and amenity considerations
TP1 - Impact on the Transport Network
TP6 - Parking
EN7 - Landscape Character Areas
EN8 - Landscape Features
EN13 - Nature Conservation
EN16 - Pollution

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

Date : 1 November 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.