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

Mrs Jayne Alvey
32 Sedgwick Street
Jacksdale
Notts
NG16 5JY

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/2021/0621**) which was valid on the 19 August 2021 for permission for **Laying of hardstanding and the erection of five stables and one hay barn at Land At Coach Road Coach Road Codnor Park**

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 received 28th May 2021
   Proposed Floor Plans and Elevations received 18th August 2021
   Amended Block Plan received 3rd December 2021

Date : 8 December 2021 Signed

Julian Townsend
Executive Director (Operations)

Reason: In order to define the permission.

3. The hereby approved timber stables and barn shall be constructed entirely of a timber structure with felt roofing. Any variation to the external building materials shall be first submitted to and approved in writing by the Local Planning Authority and then used in the construction of the development fully in accordance with the approved details.

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

4. The existing hedgerow boundary to the north of the hereby approved stables and hay barn shall be retained and maintained in perpetuity.

   Reason: In the interests of retaining adequate screening of the development within the Green Belt, in accordance with Policy EN2 of the Adopted Amber Valley Borough Local Plan 2006.

5. Prior to the installation of any surface water or foul sewage disposal scheme, drainage plans for the disposal of surface water and foul sewage shall be first submitted to and approved in writing by the Local Planning Authority. The scheme shall then be implemented fully in accordance with the approved details and be maintained in perpetuity for the life of the development.

   Reason: In the interests of securing an appropriate drainage scheme if required, in accordance with Policy EN15 of the Adopted Amber Valley Borough Local Plan 2006.

6. The hereby approved stables and hay barn shall be for private purposes ancillary to the equestrian land and for no separate commercial enterprise.

   Reason: To define the terms of this permission in the interests of highway safety, in accordance with Policy TP1 of the Adopted Amber Valley Borough Local Plan 2006.

7. The hereby approved hard surfacing shall be of loose gravel or stone chippings with no concrete yard /tarmacadum and provided in accordance only on the area shown on revised block plan received 3rd December 2021.

   Reason: For the avoidance of doubt in the interests of preventing harm to the openness and purposes of the Green Belt, in accordance with Policy EN2 of the Adopted Amber Valley Borough Local Plan 2006.

Date : 8 December 2021 Signed



Julian Townsend
Executive Director (Operations)

Notes

Attention is drawn to the attached notes:

1 The applicant should be aware that the site lies in an area identified by the Coal Authority as having possible unrecorded shallow coal workings, which could be a source of ground gas. The applicant is advised to take steps to minimise the accumulation of any ground gas within the buildings, such as siting on a solid concrete base with no cracks or joins, laying a gas membrane and ensuring the interior is kept well ventilated.

The applicant is advised to ensure that imported materials for use in the construction of hard surfaces are suitable for use (for example clean virgin aggregate or clean inert recycled material conforming to BS EN13242) in order to prevent the introduction of a source of contamination. The importation of contaminated materials may result in the need for remediation works at a later date if the land is
subsequently identified as contaminated land under the terms of Part 2A of the Environmental Protection Act 1990.

2 Severn Trent Water advise that although our statutory sewer records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under The Transfer Of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and you are advised to contact Severn Trent Water to discuss your proposals. Severn Trent will seek to assist you obtaining a solution which protects both the public sewer and the building.

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

Date : 8 December 2021 Signed

Julian Townsend
Executive Director (Operations)

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
EN2 - Green Belt
EN7 - Landscape Character Areas
EN8 - Landscape Features
EN15 - Development and Flood Risk
EN16 - Pollution
EN18 - Derelict, Unstable And Contaminated Land
LC14 - Horse Riding Facilities

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.

Date : 8 December 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