Simon Gladwin
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

GTS Maintenance Services Ltd
Station Yard, Salcombe Road
Alfreton
DE55 7RG
UK

Mr E Austin
Perfectplace Ltd
Blue Horizon
Main Road
HIGHAM
DE55 6EH

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 the saved policies of the Adopted Amber Valley Borough Local Plan 2006, and with reference to your application (**Office Code: AVA/2021/0519**) which was valid on the 17 May 2021 for permission for **Outline application for Demolition of buildings and erection of 9 dwellings at The Kitchen And Bathroom Company Mansfield Road Alfreton**

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. Application for approval of reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission and the development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

   Reason: To prevent the accumulation of planning permissions: to enable the Council to review the suitability of the development in the light of altered circumstances and to comply with the provisions of Section 92(2) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The approval of the Borough Council shall be obtained prior to the commencement of any development (other than demolition) in respect of the access to, appearance, landscaping, layout and scale of the buildings.

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Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

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

   Site location plan

   Reason: To define the terms of the permission.

4. a) Prior to the commencement of development (including demolition) all existing trees on the site shall be fenced off in accordance with BS 5837. No works including: i. removal of earth; ii. Storage of materials; iii. vehicular movements or; iv. siting of temporary buildings or structures, shall be permitted within these protected areas.
   b) These tree protection measures shall remain in place until the development is completed.

   Reason: To prevent unnecessary damage to existing trees in accordance with policy EN8 of the Adopted Amber Valley Borough Local Plan 2006.

5. All site preparation, demolition and construction activities shall comply with the following:

   a) Operating hours:
   No works, or deliveries to and from the site, shall occur other than between 08:00 and 18:00 hours on weekdays and between 08:00 and 13:00 hours on Saturdays. No works shall take place on Sundays or bank holidays. Any essential extension to these hours, other than for emergency works, shall be agreed with the Local Planning Authority before work commences. Activities that do not create noise and disturbance to residents may still take place outside these hours;
   b) Noise and vibration:
   All activities shall comply with British Standard BS 5228 'Code of practice for noise and vibration control on construction and open sites'.
   c) Dust/Particulate emissions:
   No visible dust/particulate matter shall be emitted beyond the site boundary. At such times as the prevention of nuisance is not possible, dust/particulate generating activities shall temporarily cease until such time as dust suppression measures become effective;
   d) Waste:
   No unwanted materials shall be disposed of on site by burning;
   e) Lighting:
   Any temporary site lighting shall be positioned on site to minimise light trespass and glare.

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Reason: To safeguard the amenity of the occupiers of nearby properties in accordance with saved Policy H12 of the Amber Valley Borough Local Plan 2006

6. No development shall commence (other than demolition) until;

   a) a scheme of intrusive site investigations has been carried out on site to establish the risks posed to the development by past coal mining activity, and;

   b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.

   The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

   Reason: The undertaking of intrusive site investigations, prior to the commencement of development, is considered to be necessary to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with paragraphs 183 and 184 of the National Planning Policy Framework and saved policy EN18 of the Adopted Amber Valley Borough Local Plan 2006.

7. Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

   Reason: The undertaking of intrusive site investigations, prior to the commencement of development, is considered to be necessary to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with paragraphs 183 and 184 of the National Planning Policy Framework.

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8. a) No development shall commence (other than demolition) until:
   i. A letter from a competent person confirming that a coal mining risk assessment intrusive investigation did not encounter any shallow coal mining and the ground gas risk does not require further investigation shall be submitted to and accepted in writing by the Local Planning Authority.
   ii. Should the coal mining risk assessment intrusive investigation encounter shallow coal mining, a ground gas investigation and risk assessment shall be carried out and a report submitted to and accepted in writing by the Local Planning Authority.
   iii. Where the approved risk assessment (required by ii) identifies ground gases posing unacceptable risks, a detailed scheme to address the risks shall be submitted to and accepted in writing by the Local Planning Authority.

   b) Any remedial actions required by the report submitted in fulfilment of (iii) above shall be undertaken and documented in a Verification Report which shall be submitted to and accepted in writing by the Local Planning Authority prior to the occupation of any structure.

   When undertaking ground gas investigation and designing gas protection measures, reference should be made to the British Standards BS8576 "Guidance on investigations for ground gas" and BS8485 "Code of practice for the design of protective measures for methane and carbon dioxide ground gases for new buildings".

   Reason: The undertaking of intrusive site investigations, prior to the commencement of development, is considered to be necessary to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with paragraphs 183 and 184 of the National Planning Policy Framework and saved policy EN18 of the Adopted Amber Valley Borough Local Plan 2006.

9. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

   Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in

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line with paragraph 174 of the National Planning Policy Framework and saved policy EN18 of the Adopted Amber Valley Borough Local Plan 2006.

10. Before any other operations are commenced (excluding demolition/ site clearance), 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, laid out and constructed and maintained throughout the construction phase.

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

11. As part of any reserved matters application an Arboricultural Report in the format of BS5837:2012 'Trees in relation to design, demolition and construction - Recommendations' shall be submitted to the Local Planning Authority for approval. This should include an up to date Arboricultural Impact Assessment, tree protection plans and appropriate method statements (as per section 5 & 6 of BS5837:2012).

    Reason: To ensure that the existing trees are incorporated into the proposed development and to prevent unnecessary damage to existing trees in accordance with policy EN8 of the Adopted Amber Valley Borough Local Plan 2006.

12. Prior to any construction above foundations level, 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 within the new buildings 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 and retained as such thereafter.

    Reason: In the interests of ecology and biodiversity in accordance with saved policy EN13 of the Amber Valley Borough Local Plan 2006.

13. As part of any reserved matters application a scheme indicating proposed finished floor levels of all buildings, and the relationship of such to the existing dwellings adjacent to the site has been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the agreed levels.

    Reason: To safeguard the privacy and amenities of the occupiers of adjoining properties in accordance with Saved Policies LS3 and H12 of the Adopted Amber Valley Borough Local Plan.

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14. The development to which this approval relates shall be no more than 2 storeys in height.

    Reason: To define the permission and in order to safeguard the privacy and amenities of the occupiers of adjoining properties in accordance with Saved policies LS3 and H12 of the Adopted Amber Valley Borough Local Plan 2006.

Notes

Attention is drawn to the attached notes:

1 The applicant is advised that the indicative layout drawings submitted with this application do not form any part of this approval.

To assist with the design and layout of the scheme reference should be made to the Council's Supplementary Planning Document: Residential Development (2007).

Particular attention should be given to the following;

Height, scale and design of the dwellings, with regard to the advice of the HSE
Proximity of the dwellings to the highway, including the internal arrangement of rooms (The Environmental Pollution Officer has also suggested that where possible, the indoor living areas (excluding kitchens) and main bedrooms should be located to the rear of the dwellings, to protect future occupiers from noise from the road / commercial areas)
Size and usability of private amenity space for each dwelling
Appropriate location of the bin storage area / bin dwell area within the site with respect to existing access routes, whilst ensuring that the location is acceptable to the Borough Council's waste collection service.

2 The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Regulations approval (if relevant).

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Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant safety and engineering risks and exposes all parties to potential financial liabilities. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should wherever possible be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design is developed and agreed with regulatory bodies which takes into account of all the relevant safety and environmental risk factors, including gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at:
www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

Property-specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com or a similar service provider.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

3 The applicant is advised that the design and layout of the scheme should take account of the advice from the Health and Safety Executive in relation to this site.

The HSE advise that the development should not relate to a vulnerable building.

"Vulnerable building" means a building or structure of vulnerable construction, that is to say—
(a) a building of more than three storeys above ground or 12m in height constructed with continuous non-load bearing curtain walling with individual glazed or frangible panels larger than 1.5m2 and extending over more than 50% or 120m2 of the surface of any elevation;

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(b) a building of more than three storeys above ground or 12m in height with solid walls and individual glass panes or frangible panels larger than 1.5m2 and extending over at least 50% of any elevation;
(c) a building of more than 400m2 plan area with continuous or individual glazing panes larger than 1.5m2 extending over at least 50% or 120m2 of the plan area; or
(d) any other structure that, in consequence of an event such as an explosion, may be susceptible to disproportionate damage such as progressive collapse.
This advice is provided in relation to the proximity of the development to an HSE licensed explosives site.

4 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.

5 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.

6 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 applicants 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.

7 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.
a. 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.

8 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

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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. The applicant should provide a flood evacuation plan which outlines:
- The flood warning procedure
- A safe point of extraction
- How users can safely evacuate the site upon receipt of a flood warning
- The areas of responsibility for those participating in the plan
- The procedures for implementing the plan
- How users will be made aware of flood risk
- How users will be made aware of flood resilience
- Who will be responsible for the update of the flood evacuation plan

H. Flood resilience should be duly considered in the design of the new building(s) or renovation. Guidance may be found in BRE Digest 532 Parts 1 and 2, 2012 and BRE Good Building Guide 84.

I. 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.

J. 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.

K. 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 + 30% 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.

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

M. 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.

9 The applicant is strongly urged to consider any appropriate measures/features, such as EV charging points, to mitigate climate change, having regard to paragraphs 148-154 of the National Planning Policy Framework (NPPF) and to reflect Amber Valley Borough Council's declaration of a Climate Emergency, and to incorporate those measures/features into the development. The inclusion of any such features should be considered in terms of whether they are able to be implemented under the plans and drawings approved under condition of this notice. Please contact the case officer who will be able to advise further.

10 The applicant is advised that the Highway Authority would not wish to see the access changed to a junction with radii kerbs and the access should be retained a dropped kerb to ensure that pedestrian priority is maintained.

The Highway Authority advise that subject to the final approved layout the existing access to Salcombe Road will need to be reinstated with a footway and full height kerb this will also include extending the existing yellow lines across the access should modification to the TRO be required, this will be at the applicants expense as part of the legal process to reinstate the access.

11 The applicant is advised to seek advice regarding any potential private rights of way over the land, such as to give access to neighbouring properties. Any such private rights of way, whilst a private legal matter, should where appropriate be taken into account in the detailed design and layout of the proposed scheme.

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Reasons for 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 relevant Neighbourhood Plans, and saved policies of the Adopted Amber Valley Borough Local Plan 2006;

LS2 - Community Safety
LS1 - Sustainability criteria
LS3 - Design
LS4 - Accessibility
ER4 - Industrial and storage development
H3 - Housing development within settlements
H12 - Design and amenity considerations
TP1 - Impact on the Transport Network
TP6 - Parking
EN9 - Landscape Features
EN13 - Nature Conservation
EN18 - Derelict, Unstable And Contaminated Land
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, sunlight/daylight, 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.**