Simon Gladwin
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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/2022/0092**) which was valid on the 24 February 2022 for permission for **Construction of new extension to existing clubhouse, with associated deck area and ramped access at Belper Rugby Union Club Strutts Field 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 shall be undertaken in accordance with the details contained in the submitted plans listed below and with the conditions attached to this permission:

   Site location plan

   Brochure details - StudioGlide - received 01/04/2022
   Skypod product chart - received 01/04/2022
   Skypod - cross section detail - received 01/04/2022
   Skypod plus product chart - received 01/04/2022

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Proposed floor plans - drawing 3750 - 001 Revision B - received 13/04/2022
Proposed elevations - drawing 3750 - 002 Revision B - received 13/04/2022

Tree Survey, Arboricultural Impact Assessment & Arboricultural Method Statement (including Tree Protection Plan) at Belper Rugby Club dated April 2022 by Outline Trees Arboricultural Consultancy - received 19/04/2022

Reason: To define the terms of the permission.

3. The facing bricks to be used in the development hereby permitted shall match as closely as possible those used in the construction of the existing building.

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

4. No work shall commence on the site until such time as a scheme for protecting the existing trees on and adjacent to the site during the construction process has been implemented on site in accordance with the details in the Tree Survey, Arboricultural Impact Assessment & Arboricultural Method Statement (including Tree Protection Plan) at Belper Rugby Club dated April 2022 by Outline Trees Arboricultural Consultancy. The tree protection measures shall be maintained during the course of the construction phase of the development.

   Reason: The tree(s) in question are considered to be features of significance. This condition is imposed to ensure that they are satisfactorily protected during the period when construction works take place on the site in accordance with policy EN8 of the Adopted Amber Valley Borough Local Plan 2006.

5. Notwithstanding the details show on the submitted plans, prior to installation, full details of the external deck structure including materials, structural
   means of support and balustrading/handrailing shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

   Reason: To ensure a satisfactory appearance of the completed development in accordance with policies LS3, EN24, EN27 and EN29 of the Adopted Amber Valley Borough Local Plan 2006.

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6. The use hereby permitted shall not be open to users at any times other than between:

0900 hours and 2300 hours on Mondays to Thursdays;
0900 hours and 2300 hours on Fridays and Saturdays; and
0900 hours and 2300 hours on Sundays and Bank / Public Holidays.

Reason: To protect the amenity of the residents of adjacent properties in accordance with policy EN16 of the Adopted Amber Valley Borough Local Pan 2006.

Notes

Attention is drawn to the attached notes:

1 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

2 The application site is affected by a Public Right of Way (Footpath 162 Belper 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 533190.

3 The applicant is reminded of the restrictions on the use of the existing building as outlined on the decision notice relating to application reference AVA/2003/1155 for a Sports Club at Belper Rugby club, Strutts Field, Derby Road, Belper.

4 Advisory/Informative Notes (It should be noted, that the information detailed below (where applicable), will be required as an absolute minimum in order to discharge any of the drainage conditions set by the LPA):
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 confirmed prior to commencement of works who will be responsible for SuDS maintenance/management once the development is completed.

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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 3-8m 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.
Pipe sizes, pipe materials, gradients and flow directions and pipe numbers.
Soakaways, including size and material.

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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 1 in 100 year return period (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 + 30% Climate Change rainfall volumes will be controlled and accommodated, also incorporating a sensitivity test to 40% Climate change. In addition an appropriate allowance should be made for urban creep throughout the lifetime of the development (to be agreed with the LLFA).

Production of a plan showing above ground flood pathways (where relevant) for events in excess of 1 in 100 year rainfall, 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 1 in 1 year rainfall event and the 1 in 100 year 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 1 in 100 year, 6 hour rainfall event must not exceed the greenfield runoff volume for the same event

For developments which have been previously developed, the runoff volume from the development to any highway drain, sewer or surface water body in the 1 in 100 year, 6

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hour 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 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 in 100 year rainfall + 30% climate change standard. An appropriate factor of safety should be applied to the design in accordance with CIRIA C753 – Table 25.2.
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.

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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.

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:

LS3 - Design
EN8 - Landscape Features
EN15 - Development and Flood Risk
EN16 - Pollution
EN18 - Derelict, Unstable And Contaminated Land
EN24 - Listed Buildings
EN27 - Conservation Areas
EN29 - Derwent Valley Mills World Heritage Site
EN30 - Scheduled Ancient Monuments
TP1 - Impact on the Transport Network
TP6 - Parking
LC3 - Open space
LC4 - Belper Meadows
LC6 - Leisure 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.

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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.

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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.**