Simon Gladwin
Executive Director (Operations)
Development Management

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TOWN AND COUNTRY PLANNING ACT 1990

(PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) 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/2020/1146**) which was valid on the 14 December 2020 for permission for **Listed building consent minor alterations to and associated repair and refurbishment of the existing building at St Elizabeths Convent Matlock Road Belper**

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.

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2. The development hereby permitted shall be carried out only in accordance with the details and specifications shown on the information and drawings listed below:

   - Site Location Plan drawing no. N1619_GA_102_C;
   - Proposed Floor Plans drawing no. N1619_GA_202_G; and,
   - Proposed Elevations drawing no. N1619_GA_209_L.

   Reason: To ensure that the development takes the form envisaged by the Local Planning Authority when determining the application in accordance with policy H12 of the Adopted Amber Valley Borough Local Plan 2006.

3. Prior to works commencing on the external elevations, a sample panel sufficient to assess the impact of the proposed cleaning method on the surface appearance, detail and integrity of the stonework, shall be prepared on site for the inspection and prior written agreement of the Local Planning Authority. The development shall be carried out in accordance with the agreed details, and the agreed sample panel shall remain on site for the duration of the works.

   Reason: To ensure the works are carried out in a way which respects the special appearance and character of the Listed Building in accordance with saved policy EN24 of the Adopted Amber Valley Borough Local Plan 2006.

4. Prior to use of any mortar on the building, full details of the proposed lime mortar mix, including a chemical analysis of the original mortar to inform the mortar mix for re-pointing, shall be submitted to and agreed in writing with the Local Planning Authority. The works shall be carried out in accordance with the agreed details.

   Reason: To ensure the works are carried out in a way which respects the special appearance and character of the Listed Building in accordance with saved policy EN24 of the Adopted Amber Valley Borough Local Plan 2006.

5. Appropriate preparation of the joints for re-pointing shall be undertaken in accordance with best practice guidelines (see HEAG144 "Repointing Brick and Stone Walls: Guidelines for Best Practice"; Publication date: January 2017, Historic England) and shall include raking-out of the joints, to two-and-a half times the depth of the bed joint, with a square-cut joint and loose dry debris, washed-out and thoroughly dampened prior to placing of mortar. No power tools shall be used.

   Reason: To ensure the works are carried out in a way which respects the special appearance and character of the Listed Building in accordance with saved policy EN24 of the Adopted Amber Valley Borough Local Plan 2006.

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6. Full details of the proposed joint profile and surface texture of the repointing of the stonework, including the preparation of a sample panel for the inspection and written agreement of the Local Planning Authority, shall be prepared prior to undertaking the proposed re-pointing. The works shall be carried out in accordance with the agreed details.

   Reason: To ensure the works are carried out in a way which respects the special appearance and character of the Listed Building in accordance with saved policy EN24 of the Adopted Amber Valley Borough Local Plan 2006.

7. Prior to any stonework repair being undertaken, full details of the findings and resultant proposals for the external stonework repair, including the extent, location and type of stone replacement, shall be submitted to and agreed in writing with the Local Planning Authority. The works shall be carried out in accordance with the agreed details.

   Reason: To ensure the works are carried out in a way which respects the special appearance and character of the Listed Building in accordance with saved policy EN24 of the Adopted Amber Valley Borough Local Plan 2006.

8. Full details of the proposed plastic repair, including a sample showing the colour, texture and appearance relative to the existing stonework, shall be submitted to and agreed in writing with the Local Planning Authority prior to the works commencing on the plastic repair. The works shall be carried out in accordance with the agreed details.

   Reason: To ensure the works are carried out in a way which respects the special appearance and character of the Listed Building in accordance with saved policy EN24 of the Adopted Amber Valley Borough Local Plan 2006.

9. Full details of the replacement windows proposed for each opening, including 1:10 elevations, each window reveal dimension and full-size frames sections showing location and type of opening lights, shall be submitted to and agreed in writing with the Local Planning Authority prior to installation. The works shall be carried out in accordance with the agreed details.

   Reason: To ensure the works are carried out in a way which respects the special appearance and character of the Listed Building in accordance with saved policy EN24 of the Adopted Amber Valley Borough Local Plan 2006.

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10. Full details of the proposed internal glazing to the triple vents in the gables shall be submitted to and agreed in writing with the Local Planning Authority prior to installation. The works shall be carried out in accordance with the agreed details.

    Reason: To ensure the works are carried out in a way which respects the special appearance and character of the Listed Building in accordance with saved policy EN24 of the Adopted Amber Valley Borough Local Plan 2006.

11. Prior to the installation of the replacement windows, full details and findings of the proposed recording of the condition of each window frame and glazing, as proposed in the amended application, shall be submitted to and agreed in writing with the Local Planning Authority.

    Reason: To ensure the works are carried out in a way which respects the special appearance and character of the Listed Building in accordance with saved policy EN24 of the Adopted Amber Valley Borough Local Plan 2006.

12. Notwithstanding the hereby approved plans, precise details of the repairs to the main entrance door and frame shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the agreed details.

    Reason: To ensure the works are carried out in a way which respects the special appearance and character of the Listed Building in accordance with saved policy EN24 of the Adopted Amber Valley Borough Local Plan 2006.

13. Notwithstanding the hereby approved plans, full details of the new replacement doors and frame to the basement, including 1:10 scale elevations, full size framing sections and profiles and finish coating material and colour, shall be submitted to and agreed in writing with the Local Planning Authority. The works shall be carried out in accordance with the agreed details.

    Reason: To ensure the works are carried out in a way which respects the special appearance and character of the Listed Building in accordance with saved policy EN24 of the Adopted Amber Valley Borough Local Plan 2006.

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14. Full details of the internal insulated wall linings, including details at junctions with surviving joinery or plaster features, corner junctions, window, door and other reveals, finish and colour, shall be submitted and agreed in writing with the Local Planning Authority prior to installation. The works shall be carried out in accordance with the agreed details.

    Reason: To ensure the works are carried out in a way which respects the special appearance and character of the Listed Building in accordance with saved policy EN24 of the Adopted Amber Valley Borough Local Plan 2006.

15. All ceilings shall be plasterboard taped, skimmed with a smooth skim finish and painted white throughout.

    Reason: To ensure the works are carried out in a way which respects the special appearance and character of the Listed Building in accordance with saved policy EN24 of the Adopted Amber Valley Borough Local Plan 2006.

16. Full details of skirtings, door frames and architraves, including finish coating and colour, shall be submitted to and agreed in writing with the Local Planning Authority prior to installation. The works shall be carried out in accordance with the agreed details.

    Reason: To ensure the works are carried out in a way which respects the special appearance and character of the Listed Building in accordance with saved policy EN24 of the Adopted Amber Valley Borough Local Plan 2006.

Notes

Attention is drawn to the attached notes:

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:

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In detail:

The development complies with the provisions of the development plan for the locality and raises no unresolved issues in relation to privacy, amenity, sunlight/daylight, character and design, landscape or heritage features and highway safety.

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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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.**