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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/2020/1246**) which was valid on the 11 January 2021 for permission for **Conversion of former railway station into offices including re-roofing, renovation works, internal alterations and improvements to entrance driveway at Wingfield Station Holme Lane Oakerthorpe**

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:

   Proposed Elevations Sheet 2 of 3 - drg (08)14 Rev D dated Oct 2020 received 13th September 2021
   Proposed Roof Plan - drg (08)17 Rev D dated Oct 2020 received 13th September 2021

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Proposed Eaves Details - drg (08)19 Rev D dated Oct 2020 received 13th September 2021
Proposed Parcel Shed details - drg (08)21 Rev C dated Oct 2020 received 13th September 2021
Proposed Site Plan - drg (08)11 Rev D dated October 2020
Proposed Elevations Sheet 1 of 3 - drg (08)13 Rev C dated October 2020
Proposed Elevations Sheet 2 of 3 - drg (08)14 Rev D dated October 2020
Proposed Elevations Sheet 3 of 3 - drg (08)15 Rev C dated October 2020
Proposed Sections - drg (08)16 Rev C dated October 2020
Proposed Reflected Ceiling Plan - drg 08(18) Rev C dated October 2020
Proposed Site Section - drg (08)20 Rev C dated October 2020
Proposed Layout - drg (08)12 Rev B dated October 2020
Site Location Plan - drg (08)01 Rev A dated October 2020

Reason: In order to define the permission.

3. Prior to commencement of development a tree protection plan shall be submitted to and approved in writing by the Local Planning Authority. Once agreed the tree protection scheme shall be implemented fully in accordance with the agreed scheme and maintained throughout the entire development process until completion of the development.

   Reason: This is a pre-commencement of development condition necessary to ensure the construction process causes no harm to trees in accordance with Policies EN7 and EN8 of the Adopted Amber Valley Borough Local Plan 2006.

4. a) No development shall take place until a Written Scheme of Investigation for historic building recording has been submitted to and approved in writing by the local planning authority, until all on-site elements of the approved scheme have been completed to the written satisfaction of the local planning authority, and until the provision to be made for analysis, reporting, publication and dissemination of the results and archive deposition has been secured. The Written Scheme of Investigation shall include an assessment of significance and research questions; and

   1. The programme and methodology of site investigation and recording

   2. The programme and provision for post-investigation analysis and reporting

   3. Provision to be made for publication and dissemination of the analysis and records of the site investigation

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4. Provision to be made for archive deposition of the analysis and records of the site investigation

5. Nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation

b) No development shall take place other than in accordance with the Written Scheme of Investigation for historic building recording approved under condition (a).

c) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation for historic building recording approved under condition
(a) and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: This is a pre-commencement of development condition necessary to ensure no harm to archaeological features in accordance with Policy EN31 of the Adopted Amber Valley Borough Local Plan 2006.

5. No development shall take place until a construction environmental method statement has been submitted to, and approved in writing by, the local planning authority. The approved statement shall be adhered to throughout the construction period and shall provide for:

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 in writing before work commences.

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. No vehicle shall leave the site unless in a clean condition such that

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it does not deposit dust or mud on the highway. Any such deposits shall be removed from the highway at least once daily;

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.

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

6. Prior to commencement of use of the hereby approved offices, a landscaping scheme, to include mitigation planting, shall be submitted to and be approved by the Local Planning Authority. Any trees or plants shall be planted in accordance with the agreed landscaping scheme in the first planting season and any trees/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 LS3, EN24 and EN27 of the Adopted Amber Valley Borough Local Plan 2006.

7. Prior to commencement of use of the hereby approved offices, the mitigation and enhancement measures detailed in section 6 of the Preliminary Ecological Appraisal, Preliminary Bat Roost Assessment and Bat Activity Surveys report prepared by Peak Ecology dated 04/11/2020 shall be provided in full. Once provided the mitigation and enhancement measures shall be maintained in perpetuity for the life of the development.

   Reason: To ensure no harm is caused to protected species in accordance with Policy EN13 of the Adopted Amber Valley Borough Local Plan 2006.

8. Prior to the installation, full details of the proposed boundary treatment of the site, which shall include details of the trackside boundary fencing, including its panel construction, support structure, height, panel length, finish and colour, shall be first submitted to and approved in writing by the Local Planning Authority. Once agreed the boundary treatment and trackside fencing shall be installed fully in accordance with the

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approved details prior to the offices being taken into use and be maintained in perpetuity for the life of the development.

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

9. Prior to the installation, full details of the full details of the bollards and swing arm barrier at the entrance to the station forecourt, shall be first submitted to and approved in writing by the Local Planning Authority. Once agreed the bollards and swing arm barrier shall be installed fully in accordance with the approved details prior to the offices being taken into use and be maintained in perpetuity for the life of the development.

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

10. Prior to the installation, full details of the new timber gate to the trackside area, including construction, finish and colour, shall be first submitted to and approved in writing by the Local Planning Authority. Once agreed the timber gate shall be installed fully in accordance with the approved details prior to the offices being taken into use and be maintained in perpetuity for the life of the development.

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

11. Prior to the any works to restore the stone pavement around the perimeter of the station, full details of the proposed restoration work shall be first submitted to and approved in writing by the Local Planning Authority. Once agreed the restoration work shall be undertaken fully in accordance with the approved details prior to the offices being taken into use and be maintained in perpetuity for the life of the development.

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

12. Prior to any surfacing work to the good platform full details of the surface treatment shall be first submitted to and approved in writing by the Local Planning Authority. Once agreed the surface treatment shall be installed fully in accordance with the

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approved details prior to the offices being taken into use and be maintained in perpetuity for the life of the development.

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

13. Prior to installation, full details of the replicated small freestanding lamp column shall be first submitted to and approved in writing by the Local Planning Authority. Once agreed the lamp column shall be installed fully in accordance with the approved details prior to the offices being taken into use and be maintained in perpetuity for the life of the development.

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

14. Prior to installation, full details of the external lighting scheme, including low level bollard lighting on the far side of the station yard, bollards with downlights to the car parking bays, flush, ground-mounted light fittings around the perimeter of the paved apron to the station, in front of the stone kerbs, shall be submitted to and approved in writing by the Local Planning Authority. Once agreed the external lighting scheme shall be installed fully in accordance with the approved details prior to the offices being taken into use and be maintained in perpetuity for the life of the development.

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

15. Prior to installation, full details of the free-standing Interpretation panels and signs, including the sign at the entrance to the site, shall be submitted to and approved in writing by the Local Planning Authority. Once agreed the interpretation panels and signs shall be installed fully in accordance with the approved details prior to the offices being taken into use and be maintained in perpetuity for the life of the development.

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

16. Before the first occupation of the premises, the existing access shall be provided with visibility splays of 2.4m x 76m in the westerly direction and 2.4m x 60m in the easterly direction both measured from the westerly access on to Holm Lane in accordance with

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the application drawing number 2021/(08) 11 Rev A with the area in advance of the sightlines being maintained throughout the life of the development clear of any object greater than 1m in height (0.6m in the case of vegetation) relative to adjoining nearside carriageway channel level.

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

17. Before the first occupation of the premises, space shall be provided within the application site in accordance with application drawing number 2021/(08) 11 Rev D for the parking and manoeuvring of visitors' staff, customers and service and delivery vehicles, laid out, surfaced and maintained throughout the life of the development free from any impediment to its designated use.

    Reason: In the interests of highway safety in accordance with Policy TP1 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:

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.

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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.