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

Mr Matthew Cooper
83 Nottingham Road
Derbyshire
Belper
DE56 1JH
United Kingdom

Mr David Guy
David Guy Architectural Services
9 Chesterfield Road
Belper
DE56 1FD
Undefined

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/2022/0258**) which was valid on the 19 April 2022 for permission for **Ground and first floor extensions to existing dwelling, including remodelling, to provide a 4 bedroom dwelling and double garage at 83 Nottingham Road Belper Derbyshire**

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.

Date : 2 February 2023

Signed

Simon Gladwin
Executive Director (Operations)

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:

   Amended Plans and Sections (drawing number P02 Rev C) received on 29th November 2022
   Amended Proposed Elevations (drawing number P01 Rev B) received on 29th November 2022
   Amended Proposed Elevations (drawing number P03 Rev D) received on 29th November 2022

   Reason: In order to define the permission

3. Prior to the installation of the render, full details of the wall render, including finished texture and colour, shall be submitted and agreed in writing with the Local Planning Authority. The development shall be carried out in accordance with the agreed details.

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

4. Prior to works on the eaves and roofs of the hereby approved development, full details of the eaves detail, to flat and pitched roofs, shall be submitted and agreed in writing with the Local Planning Authority. The development shall then be carried out in accordance with the agreed details.

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

5. Prior to the commencement of work on the stonework, details of the stonework, including stone type, bond pattern, typical colour, surface texture, typical joint appearance, shall be submitted and agreed in writing with the Local Planning Authority and the development shall then be carried out in accordance with the agreed details.

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

Date : 2 February 2023

Signed S Gladwin

Simon Gladwin
Executive Director (Operations)

6. Prior to the commencement of works on the green wall, full details of the vertical green wall system, shall be submitted and agreed in writing with the Local Planning Authority. The development shall then be carried out in accordance with the agreed details.

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

7. Prior to the installation of the garage doors, full details of the garage doors, including opening mechanism, material and colour, shall be submitted and agreed in writing with the Local Planning Authority. The development shall then be carried out in accordance with the agreed details.

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

8. Prior to the installation of the cladding, full details of the cladding shall be submitted and agreed in writing with the Local Planning Authority and the development shall be carried out in accordance with the agreed details.

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

9. Prior to the commencement of development a scheme of biodiversity enhancements to include details of the location of one integrated swift brick and / or details of native tree / shrub species shall be submitted to Local Planning Authority and agreed in writing. The development shall then be carried out in accordance with the agreed details.

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

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order) no development relating to Class A of Part 1 of Schedule 2 (erection of extensions) shall be undertaken without the prior written approval of the Local Planning Authority.

    Reason: To protect the character and visual amenities of the locality in accordance with policies LS3 and H12 of the Adopted Amber Valley Borough Local Plan 2006.

Date : 2 February 2023

Signed

Simon Gladwin
Executive Director (Operations)

11. The premises, the subject of the application, shall not be occupied until space has been provided within the application site in accordance with the submitted application drawings for the parking of residents' vehicles, laid out, surface and maintained throughout the life of the development free from any impediments to its designated use.

    Reason: In the interests of the safety of the users of the access and public highway safety in general in accordance with policy TP1 of the Adopted Amber Valley Borough Local Plan 2006.

12. Prior to the occupation of the hereby approved development full details of the proposed treatment of the boundary(ies) of the site shall be submitted to and approved by the Local Planning Authority. Any agreed scheme shall be implemented in full in accordance prior to the occupation of the development.

    Reason: To ensure both the satisfactory appearance of the completed development and an adequate level of amenity for the proposed dwellings in accordance with saved policies LS3 and H12 of the Adopted Amber Valley Borough Local Plan 2006.

13. Prior to the hereby approved terraced area to the rear on the annotated ground floor plan being brought into use, a solid/opaque screen 1.8m in height shall be erected to both sides of the approved terrace. The screen shall be retained in perpetuity.

    Reason: To prevent loss of privacy to the neighbouring residents in accordance with policy H12 of the Adopted Amber Valley Borough Local Plan 2006.

Notes

Attention is drawn to the attached notes:

1 "The applicant is strongly urged to help meet the Government's commitments to achieve net-zero carbon emissions by 2050, and to meeting the NPPF's environmental objective of mitigating and adapting to meet climate change, including moving to a low carbon economy. Therefore, the applicant is strongly urged to include on-site renewable energy generation (e.g. solar panels), the de-carbonising of heating systems (e.g. air-/ground-source heat pumps) and enhanced levels of insulation beyond those required by present building standards."

Date : 2 February 2023

Signed S Gladwin

Simon Gladwin
Executive Director (Operations)

Advice in relation to sustainable energy measures and any need for planning permission can be found at

https://www.planningportal.co.uk/info/200125/do_you_need_permission

2 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

3 Pursuant to Section 184 of the Highways Act 1980 and Section 86(4) of the New Roads and Streetworks Act 1991 prior notification shall be given to the Highway Authority at County Hall, Matlock regarding access works within the highway. Information, and relevant application forms, regarding the undertaking of access works within highway limits is available via the County Council's website https://www.derbyshire.gov.uk/transport-roads/roads-traffic/licences-enforcements/vehicular-access/vehicle-accesses-crossovers-and-dropped-kerbs.aspx ,E-mail highways.hub@derbyshire.gov.uk or telephone Call Derbyshire on 01629 533190.

4 The application site is immediately adjacent to a Public Right of Way (Footpath number 80 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.

5 The developer should seek professional advice if they suspect Asbestos Containing Material (ACM) is present on any building to be demolished or altered. The developer/landowner/ land manager may be liable if they fail to identify and manage any ACM appropriately. More information regarding ACM can be found on the Health and Safety Executive's web page (www.hse.gov.uk/asbestos).

6 The applicant is advised that in the event that any bats or evidence of bats is found all works should cease immediately and advice sought from a professional ecologist.

Date : 2 February 2023

Signed

Simon Gladwin
Executive Director (Operations)

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;

EN13 - Nature Conservation
H12 - Design and amenity considerations
LS3 - Design
TP1 - Impact on the Transport Network
TP6 - Parking
EN18 - Derelict, Unstable And Contaminated Land
EN27 - Conservation Areas
EN29 - Derwent Valley Mills World Heritage Site

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.

Date : 2 February 2023

Signed

Simon Gladwin
Executive Director (Operations)

NOTES

1. **If the applicant is aggrieved by the decision of the Local Planning Authority to refuse planning permission or approval for the proposed development or to grant permission or approval subject to conditions, he may appeal to the Secretary of State for the Environment in accordance with Section 78/79 of the Town and Country Planning Act 1990, within twelve weeks 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. **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.**
3. **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.**
4. **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.**
5. **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

6. **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.**
7. **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.**
8. **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".**
9. **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.**
10. **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.**