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/2022/0837**) which was valid on the 30 September 2022 for permission for **Variation of condition 33 (finished floor levels) of AVA/2019/0463 (APP/M1005/W/20/3265602) at Land To The West Of Denby Hall Business Park Derby Road Denby**

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 17th September 2021 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 Local Planning Authority shall be obtained prior to the commencement of any development in respect of the appearance, landscaping, layout and scale of the buildings.

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

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3. The details of the means of access hereby permitted shall be carried out only in accordance with the details and specifications shown on the following plans and documents:
    i) Transport Assessment (revised) including Plan F18070/01 Revision A and plan F18070/03 received 20 December 2019;
    ii) Access Road Plan D01 Rev E received 9 June 2020; and
    iii) Proposed Site Plan SP10 Rev C received 9 June 2020; and
    iv) Contour plan SP100 Rev A received 9 June 2020

    Reason: In the interest of Highway safety in accordance with saved policy TP1 of the Amber Valley Borough Local Plan Review 2006.

4. The development shall be undertaken in strict compliance with the requirements contained within the approved RMS (EMCUS Preliminary Ground Investigation Report, dated 29th July 2022, ref: MJH/J2045/D1/1 and Gas Monitoring Letter Report from Emcus dated the 1st December 2022). Any proposed revisions to the RMS must be submitted and approved in writing by the Local Planning Authority prior to any changes in remediation methods.

    If during development works, any contamination is encountered which was not previously identified including that derived from a different source or of a different type to those already identified, then no further works shall take place until a revised RMS is submitted to and approved in writing by the Local Planning Authority and the works shall then be carried out in accordance with the revised RMS.

    If during development work, site contamination is found in areas previously expected to be uncontaminated, then the remediation of those areas shall be carried out in accordance with the approved RMS.

    No building shall be occupied unless and until a Verification Report in accordance with the RMS has been submitted to and approved in writing by the Local Planning Authority.

    All investigations, assessments and reports must be carried out by a suitably qualified competent person previously agreed in writing by the Local Planning Authority and in accordance with the most recent version of BS 10175: Code of practice for the investigation of potentially contaminated sites.

    Reason: In the interests of safeguarding the proposed development and adjacent properties from the possible harmful effects of development affecting contaminated land, in accordance with policy EN18 of the Adopted Amber Valley Borough Local Plan 2006.

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5. No development approved by this planning permission shall take place until a scheme that includes the following components to deal with the risks associated with any contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:

a) A preliminary risk assessment which has identified:
i) All previous uses;
ii) Potential contaminants associated with those uses;
iii) A conceptual model of the site indicating sources, pathways and receptors; and
iv) Potentially unacceptable risks arising from contamination at the site.

b) A site investigation scheme:
i) To provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site;
ii) The results of the site investigation and detailed risk assessment;
iii) An options appraisal and remediation strategy based on the site investigation results, giving full details of the remediation measures required and how they are to be undertaken; and
iv) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy is in complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the Local Planning Authority. The scheme shall be implemented as approved.

Reason: In the interests of safeguarding the proposed development and adjacent properties from the possible harmful effects of development affecting contaminated land, in accordance with policy EN18 of the Adopted Amber Valley Borough Local Plan 2006.

6. No development shall take place until a detailed design and associated management and maintenance plan of the surface water drainage for the site, in accordance with the principles outlined within:

i) Extension to Denby Hall Business Park, Ripley, Phase 1 – Flood Risk Assessment and Drainage Strategy, referenced GHL-1355-01-FRA-002, Inspire Design & Development Ltd. (April 2019), including any subsequent amendments or updates to this document as approved by the Flood Risk Management Team; and

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ii) DEFRA's Non-statutory technical standards for sustainable drainage systems (March 2015), have been submitted to and approved in writing by the Local Planning Authority. The approved drainage system shall be implemented in accordance with the approved detailed design, prior to the use of the building commencing.

Reason: To ensure adequate control of surface water in accordance with saved policy EN15 of the Amber Valley Borough local Plan 2006.

7. Prior to commencement of the development, the applicant shall submit for approval to the Local Planning Authority, details indicating how additional surface water run-off from the site will be avoided during the construction phase. The approved system shall be operating to the satisfaction of the Local Planning Authority, before the commencement of any works, which would lead to increased surface water run-off from site during the construction phase.

   Reason: To ensure adequate control of surface water in accordance with saved policy EN15 of the Amber Valley Borough local Plan 2006.

8. The development hereby permitted shall not be commenced until such time as a detailed design for the bridge over the watercourse has been submitted to and approved in writing by the Local Planning Authority. Works shall be completed in accordance with the agreed details before the access road is first brought into use.

   Reason: To ensure the protection of the watercourse in accordance with saved policy EN15 of the Amber Valley Borough local Plan 2006.

9. The following reports and investigations shall be undertaken, and the results submitted and approved by the Local Planning Authority prior to the commencement of development:

   i) the undertaking of appropriate schemes of intrusive site investigations to include locating and assessing the mine entries/high walls and the investigation of the potential coal mine workings;
   ii) the submission of a report of findings arising from the intrusive site investigations;
   iii) the submission of a scheme of remedial works for approval; to include a remediation strategy for the mine entries, including any foundation designs, which may be required for building over the mine entries/high wall or within their zones of influence, and the coal mine workings; and
   iv) implementation of the agreed remedial and mitigatory works.

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Reason: To ensure the site is not adversely affected by mining risk in accordance with saved policy EN18 of the Amber Valley Borough Local Plan 2006.

10. The development shall be carried out in accordance with the submitted Construction Environmental Plan Rev A prepared by Enzygo Dated 6th July 2022 unless otherwise agreed in writing with the Local Planning Authority.

    Reason: In the interests of biodiversity and ecology in accordance with saved policies EN7, EN8, EN13 and EN14 of the Amber Valley Borough Local Plan 2006.

11. The hereby approved development shall be carried out in accordance with the submitted Great Crested Newt mitigation strategy approved under COND/2022/0100 on the 22nd September 2022. All works shall proceed in accordance with the approved strategy.

    Reason: In the interests of biodiversity and ecology in accordance with saved policies EN7, EN8, EN13 and EN14 of the Amber Valley Borough Local Plan 2006.

12. No development shall be commenced until a temporary access for construction purposes have been provided in accordance with Drawing SP118 Dated July 2022. The access shall be retained in accordance with the approved scheme throughout the construction period, or such other period of time as may be agreed in writing by the Local Planning Authority, free from any impediment to its designated use.

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

13. Before development commences, the applicant shall conduct an environmental noise assessment to predict the level of noise emissions from the site, including internal access roads. The proposed measurement and assessment methodology shall be approved in writing by the Local Planning Authority prior to commencing the assessment.

    Development shall not begin until details of the site layout, ground levels and noise mitigation measures, necessary to comply with the above, have been submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out and maintained in accordance with the approved details and, where necessary, the works completed under the supervision of an acoustic engineer.

    A further acoustic report verifying compliance with the above noise levels at agreed representative premises, determined by measurement and/or calculation, where agreed with the Local Planning Authority, shall be submitted to, and approved in

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writing by, the Local Planning Authority each year for a period of 5 years from the start of commercial operations on the site.

Reason: in the interest of controlling pollution in accordance with saved policy EN16 of the Amber Valley Borough Local Plan Review 2006.

14. The hereby approved development shall be carried out in accordance with the ENZYGO Air Quality Assessment dated August 2022 Ref: SHF.1561.AQ.003.R.001 and the recommendations contained within table 13 in section 6 of the assessment.

    Reason: in the interest of controlling pollution in accordance with saved policy EN16 of the Amber Valley Borough Local Plan Review 2006.

15. A detailed design proposal and specification for the landscape works, including for the ecological management area within the application site and on land controlled by the applicant edged blue on drawing number MP03, shall be submitted and approved by the local planning authority, prior to the commencement of works. This shall include details of plant and tree types and sizes, numbers and planting densities, wildflower and grass seeding. All planting, or seeding contained in the approved details of the landscaping scheme shall be carried out during the first available planting season, following approval of the design proposal and specification.

    The landscaping proposals shall be implemented in full before the buildings are first occupied. Any trees or plants which die, are removed, or become seriously damaged or diseased within a period of 5 years from the completion of the development shall be replaced in the next planting season with others of a similar size and species.

    Reason: In the interest of visual amenity in accordance with saved policy EN2 of the Amber Valley Borough Local Plan 2006.

16. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details. Therefore, a piling risk assessment will be required to be submitted in relation to the proposed development prior to the commencement of any works taking place in regard to the construction of the foundations of the buildings.

    Reason: In accordance with saved policy EN15 of the Amber Valley Borough Local Plan.

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17. No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the Local Planning Authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

    Reason: In accordance with saved policy EN15 of the Amber Valley Borough Local Plan.

18. No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation has been submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include a long-term monitoring and maintenance plan for longer-term monitoring of any pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented in accordance with that approved plan.

    Reason: In the interests of safeguarding the proposed development and adjacent properties from the possible harmful effects of development affecting contaminated land, in accordance with policy EN18 of the Adopted Amber Valley Borough Local Plan 2006.

19. The reserved matters application shall include an updated Biodiversity Impact Assessment based upon the final design and layout and detailed landscaping plans. The commencement of development, including site clearance, shall not take place until a Biodiversity Offsetting Scheme has been submitted to and approved in writing by the Local Planning Authority such that the development and the Biodiversity Offsetting Scheme jointly deliver a net biodiversity gain of at least 10%, unless otherwise agreed in writing by, the Local Planning Authority.

    Reason: In accordance with the National Planning Policy Framework and saved policy EN12 of the Amber Valley Borough Local Plan Review 2006.

20. Prior to the first use or occupation of the development a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The content of the LEMP shall include i) description and evaluation of features to be managed.
    ii) ecological trends and constraints on site that might influence management.

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iii) Aims and objectives of management, including mitigation and enhancement for species identified on site;
iv) Appropriate management options for achieving aims and objectives.
v) Prescriptions for management actions;
vi) Preparation of a work schedule, including an annual work plan capable of being rolled forward over a 40 year period;
vii) Details of the body or organisation responsible for implementation of the plan, along with funding mechanism(s) for that body or organisation; and
viii) Ongoing monitoring and remedial measures, including where monitoring shows that conservation aims and objectives of the LEMP are not being met. The approved plan shall be implemented in accordance with the approved details.

Reason: In accordance with the National Planning Policy Framework and saved policy EN12 of the Amber Valley Borough Local Plan Review 2006.

21. Before any other development hereby approved is commenced, excluding construction of the temporary access, space shall be provided for the within the site for the construction phase for storage of plant and materials, site accommodation, loading, unloading and manoeuvring of goods vehicles, parking and manoeuvring of employees and visitors' vehicles which are laid out and constructed in accordance with detailed designs first submitted to and approved in writing by the Local Planning Authority.

Once implemented, the facilities shall be retained free from any impediment to their designated use throughout the construction period.

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

22. Throughout the period of construction vehicle wheel cleaning facilities shall be provided and retained within the site. All construction vehicles shall have their wheels cleaned before leaving the site in order to prevent the deposition of mud and other extraneous material on the public highway.

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

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23. The development hereby approved shall not be first occupied until the proposed access has been formed to Derby Road, in accordance with the application drawing no. DO1 rev E and provided with visibility splays of 2.4m x 108m (to the south) and 94m (to the north).

    Reason: In accordance with saved policies TP1 and TP2 of the Amber Valley Borough Local Plan 2006.

24. Notwithstanding the submitted details, a scheme showing the design of the proposed pedestrian and cycle crossing facility on Derby Road shall be submitted to and approved in writing by the Local Planning Authority.

    The approved scheme shall then be fully implemented before first occupation of any of the approved units.

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

25. The development hereby approved shall not be first occupied until a scheme has been submitted for approval for the provision of bus stops and associated infrastructure and facilities in the vicinity of the new access.

    Once approved the scheme shall be fully implemented on site prior to first occupation of any of the approved units.

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

26. The development hereby permitted shall not be first occupied until a revised Travel Plan comprising immediate, continuing and long-term measures to promote and encourage alternatives to single-occupancy car use has been submitted to and approved in writing by the Local Planning Authority.

    The approved Travel Plan shall then be implemented, monitored and reviewed annually in accordance with the agreed Travel Plan targets.

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

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27. The development herby permitted shall not be occupied until a detailed scheme has been submitted for approval to the Local Highway Authority for the signalisation of the Steam Mill Lane/A610 junction.

    Once approved, the scheme shall be fully implemented on-site in accordance with a timescale to be agreed in writing with the Local Planning Authority and the Local Highway Authority.

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

28. The development hereby permitted shall not be occupied until on-site parking, including secure cycle parking, has been provided in accordance with details submitted at the Reserved Matters stage. The approved scheme for on-site parking and secure cycle parking will be maintained and left free from any impediment to its designated uses.

    Reason: In accordance with saved policies TP1 and TP2 of the Amber Valley Borough Local Plan 2006.

29. Any future reserved matters application shall include a detailed scheme of works for the provision of diverted and retained footpaths and bridleways within and linking into the site shall include details of the width, signage, surfacing and associated planting.

    Reason: In accordance with saved policies TP1 and TP2 of the Amber Valley Borough Local Plan 2006.

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

    i) 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.

    ii) 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.

    A health and safety risk management system shall be submitted to and approved in writing by the Local Planning Authority with the purpose of eliminating or minimising vehicle reversing and the use of high pitch vehicle reversing alarms. No piling, blasting, dynamic compaction or use of vibrating rollers shall occur on the site before notifying the Local Planning Authority.

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iii) Dust/Particulate emissions: No visible dust/particulate matter shall be emitted beyond the site boundary.
iv) Waste: No waste materials shall be disposed of on site by burning.
v) Lighting: Any temporary site lighting shall be positioned on site to minimise light trespass and glare.

Reason: in the interest of controlling pollution in accordance with saved policy EN16 of the Amber Valley Borough Local Plan Review 2006.

31. The following information, specific to the control of noise emissions, shall be submitted to the Local Planning Authority as part of a Reserved Matters application relating to the detailed design of the proposed buildings and implemented thereafter:
i) Longitudinal sections showing the line-of-sight between the properties of the nearest residents at The College, Derby Road and Street Lane, and the proposed parking, servicing and manoeuvring areas, to ensure that there is adequate interruption to the view from the dwellings;
ii) Details of acoustic barriers and any supplementation of the existing planting of the proposed site to ensure that the development is adequately screened from the nearest existing residential properties; and
iii) Proposals for the reversing safety systems to be used on all forklifts, shunters and HGVs, incorporating where appropriate broadband reversing alarms, to be agreed with the Local Planning Authority prior to the development being brought into use.

Reason: in the interest of controlling pollution in accordance with saved policy EN16 of the Amber Valley Borough Local Plan Review 2006.

32. The following information regarding external lighting at each unit and access road hereby approved shall be submitted to, and agreed in writing by, the Local Planning Authority before installation and implemented in accordance with the approved details:

i) A site plan showing the proposed locations and mounting heights of the luminaires;
ii) Full details, including images, of the luminaires to be installed;
iii) A site plan plotting predicted illuminance levels across the site boundaries, including vertical illuminance in Lux relating to potential light intrusion into windows at the nearest light-sensitive dwellings around the site, and including existing light trespass;
iv) Lamp tilt. Glare must be minimised by ensuring that the main beam angle and centre of all lights directed towards any potential observer is no more than 70 degrees; and

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v) operating times, including the use of timers or passive infra-red detectors.

All works shall be fully implemented in accordance with the approved scheme before the first occupation of any of the approved buildings, and shall be operated and maintained in accordance with the approved scheme at all times unless otherwise agreed in writing by the Local Planning Authority.

Reason: in the interest of controlling pollution in accordance with saved policy EN16 of the Amber Valley Borough Local Plan Review 2006.

33. As part of the Reserved Matters application, the finished floor levels of the proposed buildings will be no higher than the following:

i) LB Plastics Ltd building: 91.65m AOD
ii) HL Plastics (Liniar Ltd) building: 94.85m AOD
iii) Garnerlux Aluminium Ltd building: 103.25m AOD

The proposed buildings will have the following maximum heights:

i) LB Plastics building: 9m to the eaves, and 11.5m to the ridge;
ii) HL Plastics (Liniar Ltd) building: 9m to the eaves, and 11.5m to the ridge.
iii) Garnalex building: 12m to the eaves, and 14m to the ridge

Reason: In the interest of visual amenity in accordance with saved policy EN2 of the Amber Valley Borough Local Plan 2006.

34. The premises hereby approved shall only be first occupied by Garnerlux Aluminium Ltd, HL Plastics (Liniar Ltd) and LB Plastics Ltd.

Reason: To define the terms of this permission and in light of the Very Special Circumstances justified for this Green Belt Location.

Notes

Attention is drawn to the attached notes:

1 The applicant is reminded of the requirements of the S106 agreement dated the 21st May 2021 which remains applicable to this consent as outlined by Para 6.11 of the agreement.

Reasons for Granting Permission

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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:

EN14 - Nature Conservation
EN15 - Development and Flood Risk
EN16 - Pollution
EN17 - Pollution
EN18 - Derelict, Unstable And Contaminated Land
EN23 - Listed Buildings
EN24 - Listed Buildings
EN36 - Renewable Energy
LS1 - Sustainability criteria
LS2 - Community Safety
LS3 - Design
LS4 - Accessibility
ER3 - Business and industrial development
ER4 - Industrial and storage development
ER11 - Quality and design of development
TP2 - Footpath, Cycleway, Bridleway network
TP3 - Section 106 footpath etc network
TP6 - Parking
EN1 - Countryside
EN2 - Green Belt
EN3 - Major Development in the Green Belt
EN5 - Protected open land
EN6 - Special Landscape Area
EN7 - Landscape Character Areas
EN8 - Landscape Features
EN13 - Nature Conservation

In detail:

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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.**