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

Mrs Stephanie Cadenhead
Croft House Farm
Townend Lane
Waterfall
Staffordshire
ST10 3HZ

Mr Malcolm Cadenhead
Croft House Farm
Townend Lane
Waterfall
Staffordshire
ST10 3HZ

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/2022/0777**) which was valid on the 6 September 2022 for permission for **Application for permission in principle for the erection of a minimum of one or a maximum of two dwellings at 63 Newbridge Road Ambergate 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**

Notes

Attention is drawn to the attached notes:

1. The applicant is advised that the permission is granted in accordance with the Town and Country Planning (permission in Principle) (amendment) Order 2017 which states that permission in principals are granted a period of 3 years and a technical details consent must be determined within the duration of the permission granted.

Date : 26 May 2023

Signed S Gladwin

Simon Gladwin
Executive Director (Operations)

2. The applicant is advised that only one dwelling is likely to be acceptable at the technical details stage due to the potential implications on neighbouring properties amenity as well as the modest area of the land.

The applicant is advised to consider the detailed comments from consultees as set out below to understand the requirements at the technical detailed consent stage of the application process.

Highways Authority

3. The applicant is advised of the Highway Authority comments below:

Newbridge Road in this location is a classified road subject to a 30mph speed limit, in view of this visibility sightlines of 2.4m x 43m are required in both directions to the nearside carriageway edge over controlled land.

Given the existing highway layout with no fronting footways and the high embankment between the Newbridge Road highway and the site the Highway Authority does not consider that a suitable access in terms of geometry and visibility could be achieved.

Unless a suitable highway access can be demonstrated the Highway Authority recommends refusal of the application for the following reason:

The proposed development, if permitted, involving the creation of a new vehicular access to Newbridge Road, would introduce traffic movements to and from the public highway at a point where visibility is severely restricted due to the existing highway geometry, thereby leading to danger and inconvenience to other highway users.

Waste Collection

4. It has not been established whether the new occupiers would still have access to this land. If they would not, they would need to place their bins at the end of the driveway which is shared with other properties. The Waste and Recycling Manager confirms unless placed carefully, the bins may cause obstruction to residents sharing the drive as they attempt to access and exit the driveway in their vehicles. It has been advised that a suitable bin collection point is identified as part of any technical details.

Date : 26 May 2023

Signed

Simon Gladwin
Executive Director (Operations)

Derbyshire Wildlife Trust

5. The application details have been reviewed we are not aware of any features of substantive nature conservation in this area the impact on protected species is considered unlikely. An ecology survey would not be required with the technical details. A recommendation of a small net gain for bio diversity would be advantageous by installing swift bricks within the new dwellings.

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: For the issue of this stage only

Adopted Amber Valley Borough Local Plan 2006 (Local Plan)

H3 – Housing development outside settlements

Ripley Neighbourhood Plan

H2 – Other sites for new housing development

Date : 26 May 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 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.