S Gladwin
Chief Executive
Development Management

Town Hall
Ripley
Derbyshire DE5 3BT
Tel: 01773 570222
Fax: 01773 841523
Email: enquiry@ambervalley.gov.uk
Web: www.ambervalley.gov.uk

Trustees Of Kingairloch Settlement Trust
C/O Agent
46 Bridge Street
Belper
DE56 1AX

Mr George Henshaw
46 Bridge Street
Belper
DE56 1AX

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/2023/0315**) which was valid on the 28 April 2023 for permission for **Proposed extension to west elevation, refurbishment works to Grade II listed Cottage, demolition of single-storey extension to west and east elevations, insertion of two roof lights and re-opening of blocked up windows at Larch Tree Cottage Hazelwood Hill Hazelwood.**

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 hereby permitted shall be carried out only in accordance with the details and specifications shown on drawings:

   2130-001 Site Location Plan received 19.04.2023.
   2130-002 Site Block Plan as Existing received 19.04.2023.
   2130-001 Site Block Plan as Proposed received 19.04.2023.
   2130-010 Window Details received 19.04.2023.

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Signed

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2130-011 Window Details received 19.04.2023.

5883 Structural Calculations received 02.10.2023.

5883-01 Structural Details received 22.1.2024.
5883-02 Structural Details received 22.1.2024.
1590-105 Rev P1 Fireplace Detail received 22.1.2024.

1590-103 P2 Floor Plans as Proposed received 09.04.2024.
1590-104 P2 Elevations as Proposed received 09.04.2024.
1590-203 Detail as Proposed received 09.04.2024.

Reason: To ensure that the development takes the form envisaged by the Local Planning Authority when determining the application in accordance with policies LS3 and H12 of the Adopted Amber Valley Borough Local Plan 2006.

3. Prior to works commencing on the external walling to the proposed extension full details of any, removal, rebuilding, repair, mortar works and raising of the enclosing stone walls to the new extension, including lintel and coping to this shall be submitted to and approved in writing by the Local Planning Authority. Any new stonework to be used shall match the existing in terms of geological source, construction and finish. The development shall be undertaken in accordance with the approved 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 policy EN24 of the Adopted Amber Valley Borough Local Plan 2006.

4. Prior to the installation of the stone mullion W0.1 on the west elevation, details and samples shall be submitted to and agreed with the Local Planning Authority. There shall be a strict match for the existing mullions, using stone of a similar geological type and colour. Works shall be completed 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 policy EN24 of the Adopted Amber Valley Borough Local Plan 2006.

5. Prior to works commencing on the extension, full details of the roof construction, including the insulation build-up, details of the eaves, and details of all leadwork, which shall follow the LSTA (Lead Sheet Training Academy) Rolled Lead Sheet Complete Manual guidelines, shall be submitted to and approved in writing by the Local Planning

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Authority. The development shall be undertaken in accordance with the approved 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 policy EN24 of the Adopted Amber Valley Borough Local Plan 2006.

6. Prior to the installation of hardstanding surfaces including the land situated between the wall adjacent to the new extension, full details including surface materials shall be submitted to and agree in writing prior to installation. The development shall be undertaken in accordance with the approved 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 policy EN24 of the Adopted Amber Valley Borough Local Plan 2006.

7. The existing hedgerow on the north and eastern boundary shall be retained through the life of the development and a scheme shall be submitted before the dwelling is taken into use to demonstrate the retention of the hedgerow including the height which shall be maintained in perpetuity.

   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 EN24 of the Adopted Amber Valley Borough Local Plan 2006.

Notes

Attention is drawn to the attached notes

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.

LS3 - Design
H12 - Design and amenity considerations
EN24 - Listed Buildings
H5 - Housing development outside settlements

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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 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.