S Gladwin
Chief Executive
Development Management

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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/2023/0203**) which was valid on the 17 April 2023 for permission for **Demolition of existing conservatory construction of new single storey rear extension (may affect the setting of the listed building and the character and setting of the conservation area) at Langley House 18 Church Lane Kirk Langley**

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 the amended drawings 011 2023 004 rev H, 011 2023 005 rev I, 011 2023 006 rev H and 011 2023 007 rev D received on 16.05.2024.

   Reason: To ensure that the development takes the form envisaged by the Local Planning Authority when determining the application in accordance with policy LS3, EN27 and EN24 of the Adopted Amber Valley Borough Local Plan 2006.

Date: 5 July 2024

Signed

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3. A Level 3 Historic Building Survey shall be undertaken in accordance with the Historic England Guidance - Understanding Historic Buildings - A Guide to Good Recording Practice (2016), in order to assess the rear two-storey wing of the listed building and its relationship with the principal three-storey building; this shall be undertaken by a suitably qualified building archaeologist / architectural historian; this shall be prepared in accordance with a WSI to be first approved by the local planning authority which shall identify stages of recording, including a photographic and drawn record of the beams following the removal of the cladding to the kitchen ceiling beam, and the depositories for submitting the final report. The final report shall be submitted to the Local Planning Authority prior to occupation of the extension. The development shall be undertaken in accordance with the approved WSI.

   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. No development shall take place until full working construction drawings are submitted to and approved in writing by the Local Planning Authority showing the sections through all new roofs and all lead gutters; this shall be in sufficient detail to show the rafters, valley boards, insulation, lead, roof tiles and all accompanying joinery details. The development shall be carried out 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.

5. Notwithstanding the hereby approved drawings, no development shall take place until construction plan drawings of the proposed junction of the two pitched roofs, in the form of a lead valley gutter, at a scale of no less than 1:20, is submitted to and approved in writing by the Local Planning Authority; these shall include all steps, tapered and / or box gutters, flashings and soakers, and outlets which shall be installed in accordance with the latest Lead Sheet Training Academy handbook - the Complete Manual to Rolled Lead Sheet - manufactured to BS EN 12588 and BS6915 Code of Practice. The development shall be carried out 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.

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6. Prior to the construction of the footings and foundations of the new development, full details of the making good of all masonry to the adjoining property, Tudor Barn, shall be submitted to and approved in writing by the Local Planning Authority; this shall include a specification for repairs and making good, any re-pointing, and shall include the methodology for any cleaning of masonry. The development shall be carried out 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. Prior to the roofing of the hereby approved extension, the works of making good and repair to Tudor Barn shall be completed in accordance with the details agreed by condition 6.

   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.

8. Notwithstanding the hereby approved drawings, no development shall take place until full details of the proposed rooflights, including a section through the roof to show how the rooflight will sit flush to the roof tiles within the roof plane, how the rooflights will be fitted between the rafters, and the appropriate flashings, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out 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.

9. No development shall place until details and samples of the proposed bricks, the brick bond and a specification for pointing shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out 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.

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10. No development shall place until samples of the proposed roof tiles and ridge tiles are submitted to and approved in writing by the Local Planning Authority. The development shall be carried out 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.

11. No development shall place until full construction drawings of the new first floor window to the gable end of the existing kitchen wing is submitted to and approved in writing by the Local Planning Authority; this shall include a projecting stone cill, with weathering and throating, and a section through the masonry window cill, and the timber cill of the window, a vertical section showing the location of the joinery and relationship to masonry, a section through the casement and frame, a section through the glazing bars, details of the method of ventilation (if any) and opening mechanism, and details of the painted finish to the replacement window. The development shall be carried out 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.

12. Notwithstanding the hereby approved drawings, no development shall take place until drawings at a scale of no less than 1:5 are provided to show sections through the proposed windows and doors, including all joinery, flush casements and frames to windows, sections of door frames, sections through glazing bars to both casement windows and French windows, sections and elevations of solid panels to timber doors / French windows are submitted to and approved in writing by the Local Planning Authority. The development shall be carried out 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.

13. No development shall place until a section through the proposed steel beam and the existing external wall, engineer's drawings and calculations, and all works to the gable end of the existing dwelling in association with the insertion of the steel beam/s are submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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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.

14. Prior to the installation of the steel beam/s to the gable end of the existing listed building, details of any works associated with the existing beam A on drawing 011 2023 004 Rev F shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out 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.

15. Notwithstanding the hereby approved drawings, all verges shall be plain close verges, with tiles set within wet mortar (not dry verges).

    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.

16. No development shall place until detailed drawings at a scale of 1:10 are provided to illustrate the brick detail for the segmental brick arches to the window and door openings and approved in writing by the Local Planning Authority. The development shall be carried out 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.

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;

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EN27 - Conservation Areas
EN24 - Listed Buildings
H12 - Design and amenity considerations
LS3 - Design
TP1 - Impact on the Transport Network
TP6 - Parking

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 privacy, amenity, sunlight/daylight, 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 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.