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

Mr Mark Beastall
Pidcock & Beastall
1 Flowery Leys Lane
Alfreton
Derbyshire
DE55 7HA

Mr Stephen Riley
Ellis Riley & Son Ltd
14 Eastwood Avenue
Warsop
Nottinghamshire
NG20 0PJ

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/2025/0594**) which was valid on the 20 August 2025 for permission for **Application for permission in principle for the erection of up to 6 no. new dwellings at Pidcock & Beastall 1 Flowery Leys Lane Alfreton.**

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

2 The applicant is advised that only four dwellings should be applied for at the technical details stage due to the potential impacts on the visual amenities, character of the area and amenities of existing residents and future occupiers of the development, as well as the modest area of the land.

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

Date : 31 October 2025

Signed S Gladwin

Simon Gladwin
Chief Executive

3 The DCC Highway Authority:
Site access arrangements shall be in accordance with the highway authority's Planning, Streets and Places design guide.
Car and cycle parking provision shall be in accordance with the highway authority's Parking Guide for New Developments.
A footway having a minimum width of 2m shall be provided along the full width of the site frontage to Flowery Leys Lane to highway authority specification. That will require works within the public highway for which the applicant must enter into an agreement under Section 278 of the Highway Act 1980.

4 Public Right of Way (PRoW)

Alfreton Footpath 3 (FP 3) runs outside of the site along its northern boundary. The path is shown accurately on the plans and the building works are clear of the path. The proposed development would not therefore appear to physically affect Alfreton FP 3.
The highway authority would have no objection in relation to the impact of the scheme on FP 3, provided the footpath is not encroached upon during construction.
The highway authority recommends that the following informatives should be appended to the decision notice to safeguard the PRoW, if PIP is granted:
1. Alfreton FP 3 must remain open, unobstructed and on its legal alignment.
2. There should be no disturbance to the surface of Alfreton FP 3 without prior authorisation from the highway authority's Rights of Way section.
3. Consideration should be given to the safety of members of the public using Alfreton FP 3 during and after the works. A temporary closure of Alfreton FP3 may be permitted on application to Derbyshire County Council provided that the path remains unaffected on completion of the development.
4. There should be no encroachment onto Alfreton FP 3, and no fencing should be installed adjacent to the path without consulting the highway authority's Rights of Way section.

5 The Coal Authority
The applicant should note the following:
1. No development shall commence until;
a) a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past coal mining activity, and;
b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is safe and stable for the development proposed.
The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

Date : 31 October 2025 Signed S Gladwin

Simon Gladwin
Chief Executive

2. Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

6 Derbyshire Wildlife Trust

The following information should be submitted with the technical detail application:

- An Ecological Impact Assessment (EcIA) - this should include a data consultation with Derbyshire Biological Records Centre and any other relevant groups. The National Biodiversity Network1 1 Note and Defra's website (https://magic.defra.gov.uk/) should be reviewed for any relevant information and consultation undertaken with Natural England if statutory designated sites could be impacted by proposals. The EcIA should provide the results of all necessary ecological surveys to determine the habitats present (UKHabs and condition assessment required) and the presence / absence of protected species. A full impact assessment and mitigation details should be provided.

- Pre- and post-development habitat plans.

- A fully completed metric is submitted (not just baseline data)

- We also request an outline of proposals to achieve the +10% gain. This could be in the form of a draft Gain Plan, as per government guidance. It should be determined whether 10% gains can be delivered onsite or if offsite units will be required? If offsite units are required, an approach should be outlined to address this. The finalised Gain Plan will be required post-development, but a draft will provide the LPA reasonable confidence that the 10 % gain is achievable and the condition is able to be discharged. It should also state how the BNG hierarchy has been applied in the scheme design.

- The final Gain Plan and a Habitat Management and Monitoring Plan (if appropriate) would be secured via condition, along with a CEMP: Biodiversity, Lighting Plan and any other reasonable requirements based on the results of the ecology assessment (such as protected species licencing).

Date : 31 October 2025 Signed S Gladwin

Simon Gladwin
Chief Executive

7 AVBC Tree Officer
With regards to this development, there are no trees of any size or quality situated on site. There are some trees within the neighbouring garden), most notably a semi mature Ash tree. In reference to the submitted plans, these trees may cause some conflict with plot 1 of the development. This may result in the need for an arboricultural report in the form of BS5837:2012 trees in relation to design, demolition and construction-recommendations at a later stage to prevent any unnecessary damage to these trees.

Despite the existing trees/shrubs being poor quality, they will inevitably be removed to make way for the development. It may therefore be appropriate to include some replacement planting within the landscape plan to help mitigate for this.

8 AVBC Pollution Officer
It is expected to see the submission of a Construction Environmental Management Plan at the 'technical details consent' stage, detailing the measures proposed for protecting the living conditions of existing sensitive premises from adverse impacts during the demolition and construction phases of the redevelopment. An appropriately worded condition requiring compliance with the approved Plan can then be recommended.

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.

Date : 31 October 2025 Signed S Gladwin

Simon Gladwin
Chief Executive

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.