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

Mrs Katy Falls
Keepmoat Homes East Midlands
Unit1
Interchange 25 Business Park
Bostock Lane
Sandiacre
NG10 5QG
United Kingdom

Katy Falls
Keepmoat Homes East Midlands
Unit1
Interchange 25 Business Park
Bostock Lane
Sandiacre
NG10 5QG
United Kingdom

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/2025/0710**) which was valid on the 10 October 2025 for permission for **Variation of condition 21 (approved plans) of AVA/2018/1056 to replace the approved Wise Living House types with equivalent Keepmoat House types across the development at Land Off Amber Drive Langley Mill**

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 6th September 2024.

   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. No development, above slab level, shall take place until there has been submitted to and approved in writing by the Local Planning Authority details and/or samples of the materials and finishes to be used for the external elevations and roof of the proposal, and the development shall be carried out with those materials.

Date: 19 November 2025

Signed S Gladwin

Simon Gladwin
Chief Executive

Reason: To ensure the satisfactory appearance of the completed development in accordance with policies LS3 and H12 of the Adopted Amber Valley Borough Local Plan 2006.

3. No development shall take place until a scheme for the provision and management of a 10-metre-wide buffer zone alongside the watercourse has been submitted to, and approved in writing by, the local planning authority. Thereafter, the development shall be carried out with the approved scheme. Any subsequent variations shall be agreed in writing by the local planning authority, in which case the development shall be carried out in accordance with the amended scheme. The buffer zone scheme shall be free from built development including lighting, domestic gardens and formal landscaping.

   Reason: In the interest of biodiversity in accordance with saved policy EN13 of the Amber Valley Borough Coal Plan 2006.

4. All dwellings on the site shall be protected from noise from rail traffic and industrial noise such that the following noise levels are not exceeded:

   55dB LAeq,16 hour (free field) in outdoor living areas between 07:00 and 23:00 hours;
   35dB LAeq,16 hour inside living rooms and bedrooms between 07:00 and 23:00 hours;
   40dB LAeq,16 hour inside dining rooms/areas between 07:00 and 23:00 hours;
   30dB LAeq,16 hour and an LAmax, fast of 45dB in bedrooms between 23:00 and 07:00 hours.

   Development shall not begin until details of the site layout 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 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 writing by, the Local Planning Authority before occupation of any of the dwellings.

   Reason: To ensure the proposed development is adequately protected from noise in accordance with Saved Policy EN17 of the Amber Valley Borough Local Plan 2006.

5. No development shall take place until a construction environmental method statement has been submitted to and approved in writing by the local planning authority. The

Date: 19 November 2025 Signed

S Gladwin

Simon Gladwin
Chief Executive

approved statement shall be adhered to throughout the development period and shall provide for:
a) No construction works, or deliveries to and from the site, outside the hours of 08:00-18:00 on weekdays, 08:00-13:00 on Saturdays and not at all on Sundays or public holidays;
b) Measures to control the emission of dust and dirt during construction works and from vehicles entering or leaving the site, including notification of any proposed on-site crushing and/or screening of bricks, tiles or concrete;
c) A scheme for recycling/disposing of waste resulting from construction works;
d) No burning of materials on-site;
e) Measures for the control of works causing noise or vibration, including any proposed piling operations.

Reason: In the interest of amenity in accordance with saved policy EN16 of the Amber Valley Borough Local Plan 2006

6. No development shall take place until a landscape management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens), shall be submitted to and approved in writing by the local planning authority. The landscape management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority. The scheme shall include the following elements:
o detail extent and type of new planting (NB planting to be of native species)
o details of maintenance regimes
o details of any new habitat created on site (Specifically the attenuation pond and how it will support wildlife as well as attenuate run off)
o details of treatment of site boundaries and/or buffers around water bodies
o details of management responsibilities

Reason: This condition is necessary to ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in line with national planning policy. This condition is supported by the National Planning Policy Framework (NPPF), paragraph 170 which recognises that the planning system should aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. Paragraph 175 of the NPPF also states that opportunities to incorporate biodiversity in and around developments should be encouraged. The Natural Environment and Rural Communities Act which requires Local Authorities to have regard to nature conservation and article 10 of the

Date: 19 November 2025 Signed

Simon Gladwin
Chief Executive

Habitats Directive which stresses the importance of natural networks of linked corridors to allow movement of species between suitable habitats and promote the expansion of biodiversity.

7. a. No development shall commence until a detailed Ground Gas Mitigation Method Statement, which includes details of the methods which will address the ground gas risks identified in the Jackson Purdue Lever Phase II Exploratory Investigation, dated 21/11/2019, ref: SDL01395SI2, and a plan for how the mitigation will be verified and reported has been submitted and approved in writing by the Local Planning Authority.

   b. The development shall be undertaken in strict compliance with the requirements contained within the approved Ground Gas Mitigation Method Statement. Any proposed revisions to the Ground Gas Mitigation Method Statement must be submitted and approved in writing by the Local Planning Authority prior to any changes.

   c. No building shall be occupied unless and until an agreed period of in-property gas monitoring is carried out. A report verifying satisfactory installation of the gas protection measures for that building, containing the results of monitoring and confirming that the gas risk has been addressed by the gas protection measures shall be submitted to and approved by the Local Planning Authority.

   D. Should there be a requirement for an on-going active ventilation system to be commissioned in any of the buildings, maintenance and upkeep of the units shall be the responsibility of the applicant/owner and shall be passed on to any future owners. Design and Installation of gas protection measures shall be carried out by specialist gas protection contractors' Third-party verification of gas proof membrane installation shall be carried out by a suitably qualified competent person (for example a Specialist in Gas Protection Verification (SGPV) from the Gas Protection Verification Accreditation Scheme (GPVS) and/or NVQ Level 4 Verification of Ground Gas Protection Systems)

   Reason: To ensure the site is appropriately remediated against contamination in accordance with saved policy EN18 of the Amber Valley Borough Local Plan 2006.

8. a) No development shall commence until a Remediation Method Statement (the "RMS") to address any remediation required by the Jackson Purdue Lever Phase II Exploratory Investigation, dated 21/11/2019, ref: SDL01395SI2, including a plan for how the remediation methods will be verified, has been submitted and approved in writing by the Local Planning Authority.

   b) The development shall be undertaken in strict compliance with the requirements contained within the approved RMS. Any proposed revisions to the RMS must be

Date: 19 November 2025 Signed

Simon Gladwin
Chief Executive

submitted and approved in writing by the Local Planning Authority prior to any changes in remediation methods.

c) If during development works, any contamination is encountered which was not previously identified and is derived from a different source and/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.

d) 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.

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

f) 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 Environment Agency publication Land contamination risk management (LCRM).

Reason: To ensure contamination is adequately mitigated in accordance with saved policy EN18 of the Amber Valley Borough Local Plan 2006.

9. Before any other operations are commenced (excluding demolition/ site clearance) a temporary access for construction purposes shall be formed to Amber Drive, laid out, constructed and provided with visibility splays in either direction in accordance with detailed designs to be submitted in advance to the Local Planning Authority and approved in writing the area in advance of the sightlines being cleared of all obstructions greater than 1m in height (0.6m in the case of vegetation), maintained in accordance with the approved scheme throughout the contract period free from any impediment to its designated use.

   Reason: In the interests of the safety of the users of the access and public highway safety in general in accordance with policy TP1 of the Adopted Amber Valley Borough Local Plan 2006.

10. Prior to the first occupation of any dwelling, a new estate street junction shall be formed to Amber Drive in accordance with the application drawings, laid out, constructed to base level and provided with 2.4m by 43m visibility splays in either

Date: 19 November 2025 Signed

Simon Gladwin
Chief Executive

direction, the area in advance of the sightlines being levelled, constructed as footway and not being included in any plot or other sub-division of the site.

Reason: In the interests of the safety of the users of the access and public highway safety in general in accordance with policy TP1 of the Adopted Amber Valley Borough Local Plan 2006.

11. No dwelling, the subject of the application, shall be occupied until the proposed new estate streets between each respective plot and the existing public highway have been laid out in accordance with the application drawings to conform to the County Council's design guide, constructed to base level, drained and lit in accordance with the County Council's specification for new housing development roads.

    Reason: In the interests of the safety of the users of the access and public highway safety in general in accordance with policy TP1 of the Adopted Amber Valley Borough Local Plan 2006.

12. No dwelling, the subject of the application, shall be occupied until space has been provided within the application site in accordance with the application drawings for the parking and manoeuvring of residents and visitors vehicles, laid out, surfaced and maintained throughout the life of the development free from any impediment to its designated use.

    Reason: In the interests of the safety of the users of the access and public highway safety in general in accordance with policy TP1 of the Adopted Amber Valley Borough Local Plan 2006.

13. Prior to commencement of the development hereby permitted details of a construction management plan shall be submitted to and approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the demolition/construction period.

    Reason: In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development.

14. 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:

    a. Flood Risk Assessment, Proposed Residential Development, Amber Drive, Langley Mill for Wise Living Ltd (Reference SDL01395/FR1, dated 28/09/2018) including any

Date: 19 November 2025 Signed

Simon Gladwin
Chief Executive

subsequent amendments or updates to those documents as approved by the Flood Risk Management Team

b. And 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 that the proposed development does not increase flood risk and that the principles of sustainable drainage are incorporated into this proposal, and sufficient detail of the construction, operation and maintenance/management of the sustainable drainage systems are provided to the Local Planning Authority, in advance of full planning consent being granted.

15. 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 applicant may be required to provide collection, balancing and/or settlement systems for these flows. 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 surface water is managed appropriately during the construction phase of the development, so as not to increase the flood risk to adjacent land/properties or occupied properties within the development.

16. Before any other operations are commenced (excluding demolition/ site clearance), space shall be provided within the site curtilage for [storage of plant and materials/ site accommodation/ loading and unloading of goods vehicles/ parking and manoeuvring of site operatives and visitors vehicles], laid out and constructed in accordance with detailed designs to be submitted in advance to the Local Planning Authority for written approval and maintained throughout the contract period in accordance with the approved designs free from any impediment to its designated use.

    Reason: In the interests of the safety of the users of the access and public highway safety in general in accordance with policy TP1 of the Adopted Amber Valley Borough Local Plan 2006.

17. 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:

Date: 19 November 2025 Signed

Simon Gladwin
Chief Executive

a. Jackson Purdue Lever (15/12/2020). Flood Risk Assessment. SDL01395/FR1 V2.1, including any subsequent amendments or updates to that document as approved by the Flood Risk Management Team,

b. And 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.

Reason: To ensure that the proposed development does not increase flood risk and that the principles of sustainable drainage are incorporated into this proposal, and sufficient detail of the construction, operation and maintenance/management of the sustainable drainage systems are provided to the Local Planning Authority, in advance of full planning consent being granted.

18. Prior to the first occupation of the development, a verification report carried out by a suitably qualified independent drainage engineer shall be submitted to and approved by the Local Planning Authority. This must demonstrate that the drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls).

    Reason: To ensure that the drainage system is constructed to the national non-statutory technical standards for sustainable drainage and CIRIA standards C753.

19. No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping. All planting, seeding, or turfing indicated on the approved landscaping scheme shall be carried out prior to the development being brought into use. Any trees or plants which within a period of five years from the completion of the development die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

    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 LS3 of the Adopted Amber Valley Borough Local Plan 2006.

20. The Development hereby approved shall not be occupied until the applicant has submitted to and had approval in writing from the Local Planning Authority a residential welcome pack promoting sustainable forms of access to the development. The pack shall be provided to each resident at the point of the first occupation of the dwelling.

Date: 19 November 2025 Signed

S Gladwin

Simon Gladwin
Chief Executive

Reason: To reduce vehicle movements and promote sustainable access.

21. The approved scheme shall be carried out in accordance with the following approved documents and drawings:
- Application Form
- Site Location Plan
- Keepmoat Planning Layout - dwg Ref: EM-25-010-SK001 Rev A
- SD -5009-A - Post and Rail Fence - 1200mm
- SD- 5013 -A - 1.8m Fence
- Ardingly - dwg. No. ARDING-END- 1360 Rev 3
- Chelburn - dwg. No. CHELBU - END - 1100 Rev 3
- Derwent - dwg. No. DERWEN - END - 1080 Rev 3
- Kielder - dwg. No. KIELDE - END - 1090 Rev 4
- Langham - dwg. No. LANGHA - END - 1040 Rev 5
- Saltburn - dwg. No. SALTBU - DET - 1400 Rev 4
- Stanford - dwg. No. STANFO - END - 1210 - Rev 6
- Ryebank - dwg. No. RYEBAN - END- 1170 Rev 4
- Wise Living - 1 bed apartment (Elevations) dwg. No. 539/01 Rev C (plots 44-49 /93-93/ 99-104 only)
- Wise Living - 1 bed apartment (Floorplans) dwg. No. 539/01 Rev C (plots 44-49 /93-93/ 99-104 only)
- Wise Living - 1 bed (Duo) dwg. No. 469/04 Rev A (Plots 86-87)
- Wise Living - 1 bed (Quad duo) dwg. No. 469/01 Rev C (Plots 40-43 / 108-111)
- Wise Living -619 (Floor Plans and Elevations) dwg. No. 619/01 Rev C (Plots 91-92 only)

Reason: To define the terms of this permission.

Date: 19 November 2025

Signed

Simon Gladwin
Chief Executive

Notes
Attention is drawn to the attached notes:

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:

The development complies with the provisions of the development plan for the locality and raises no unresolved issues in relation to the location of the site, privacy, amenity, 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 39 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.

Date: 19 November 2025

Signed

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.