S Gladwin
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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/2025/0498**) which was valid on the 15 July 2025 for permission for **Proposed conversion of Outbuilding (Barn 2) to form annexe, with regularisation of Barn 1, used as an ancillary building to the main dwellinghouse at Braystones Front Street Fritchley**

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 following drawings: -
   Proposed Site Plan 3358-CDA-00-XX-DR-A-0400 Rev A (received 21/10/2025)
   Proposed Ground Floor Plans 3358-CDA-00-ZZ-DR-A-0401 Rev D (received 21/10/2025)
   Proposed First Floor Plans 3358-CDA-00-ZZ-DR-A-0402 Rev D (received 21/10/2025)
   Proposed Elevations 1 of 3 3358-CDA-00-XX-DR-A-0403 Rev D (received 21/10/2025)
   Proposed Elevations 2 of 3 3358-CDA-00-ZZ-DR-A-0404 Rev C (received 21/10/2025)
   Proposed Elevations 3 of 3 3358-CDA-00-XX-DR-A-0405 Rev C (received 21/10/2025)

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Signed S Gladwin

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Parking Plan 3358-CDA-00-SP-DR-A-0407 (received 21/10/2025)

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

3. A full schedule of masonry repairs with elevation-by-elevation drawings prior to any stonework being repaired, or new areas of masonry installed, shall be submitted and agreed in writing by the Local Planning Authority before work commences. The work shall be carried out only in accordance with the submitted scheme.

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

4. Prior to commencement of development full details of the lime mortar including the specification, mix and pointing method shall be submitted and agreed in writing with the Local Planning Authority. The work shall be carried out only in accordance with the agreed scheme.

   Reason: To comply with saved policy EN27 of the Amber Valley Borough Local Plan 2006

5. Prior to commencement of development full details of rainwater goods and waste pipes shall be submitted and agreed in writing with the Local Planning Authority. The work shall be carried out only in accordance with the agreed scheme.

   Reason: To comply with saved policy EN27 of the Amber Valley Borough Local Plan 2006

6. Notwithstanding submitted plans, prior to commencement of development, full details of external doors and windows, including the depth of all rebated openings / outer reveals, shall be submitted and agreed in writing with the Local Planning Authority. The work shall be carried out only in accordance with the agreed scheme.

   Reason: To comply with saved policy EN27 of the Amber Valley Borough Local Plan 2006

7. Notwithstanding submitted plans, prior to commencement of development, full details of stone lintels, including the quarry source, and the dressed and tooled finish, shall be submitted and agreed in writing with the Local Planning Authority. The work shall be carried out only in accordance with the agreed scheme.

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Reason: To comply with saved policy EN27 of the Amber Valley Borough Local Plan 2006

8. No changes to the roof and ridge tiles shall take place unless agreed first in writing with the Local Planning Authority.

   Reason: To comply with saved policies EN27 and LS3 of the Amber Valley Borough Local Plan 2006

9. The timber lintel above the east elevation external doors shall be retained unless otherwise agreed in writing with the Local Planning Authority.

   Reason: To comply with saved policy EN27 of the Amber Valley Borough Local Plan 2006

10. Prior to commencement of development full details of all externally visible services, including vents, methods of extraction, and terminals, shall be submitted to and approved in writing by the Local Planning Authority. The work shall be carried out only in accordance with the agreed scheme.

    Reason: To comply with saved policy EN27 of the Amber Valley Borough Local Plan 2006

11. Prior to works commencing, a basic tree protection plan in the format of BS5837:2012 'Trees in relation to design, demolition and constructions - recommendations' will be submitted and approved by the Local Planning Authority to mitigate any damage during construction.

    Reason: To comply with saved policy EN8 of the Amber Valley Borough Local Plan and protect nearby TPO covered trees.

12. The living accommodation hereby approved shall be used as a self-contained unit of occupation, ancillary to the associated main household, and shall not be severed as an independent and unconnected residence.

    Reason: The creation of a dwelling independent of the main household would not normally be permitted on this site due to its relationship to existing dwellings and level of amenity provision in accordance with policies LS3 and H12 of the Adopted Amber Valley Borough Local Plan 2006.

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13. Prior to occupation of the hereby permitted development, details of boundary treatment to the northwest and northeast of the hereby approved conversion in the form of a native hedgerow shall be submitted to and approved by the Local Planning Authority. All planting of the approved boundary treatment shall be carried out in the first planting season following the occupation of the buildings or the completion of the development, whichever is the sooner; and any planting which within a period of five years from the completion of the development dies, is removed, or becomes 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 development is contained within the site and that the domestic paraphernalia associated with the new use of the barns is limited within the site.

14. Prior to occupation of the hereby permitted development, a scheme for post and rail fencing of the southern boundary of the application site, and its phasing, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full and shall be retained in perpetuity.

    Reason: To ensure the development is contained within the site and that the domestic paraphernalia associated with the new use of the barns is limited within the site.

Notes
Attention is drawn to the attached notes:

1 In relation to condition 5, it is advised that cast-iron rainwater goods with rise and fall brackets would be acceptable on the non-designated heritage asset.

2 In relation to condition 6, materials and colours should be provided.

3 Development Low Risk Area - Standing Advice

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Mining Remediation Authority on 0345 762 6846 or if a hazard is encountered on site call the emergency line 0800 288 4242.

Further information is also available on the Mining Remediation Authority website at: Mining Remediation Authority - GOV.UK

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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;

H6 - Countryside Conversion
LS3 - Design
H12 - Design and amenity considerations
H3 - Housing development within settlements
TP1 - Impact on the Transport Network
TP6 - Parking
EN30 - Scheduled Ancient Monuments
EN8 - Landscape Features
EN24 - Listed Buildings
EN18 - Derelict, Unstable and Contaminated Land
EN27 - Conservation Areas

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 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.

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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.