Simon Gladwin
Executive Director (Operations)
Development Management

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Mr Keith Edmondson
Thimble Bottom
8 Burland Green Lane
Weston Underwood
Ashbourne
Derbyshire
DE6 4PF

Business Unit : **DEVELOPMENT CONTROL**
Our Ref : ALEXS-AVA/2025/0778
Your Ref :
Date : 4 February 2026
Ask For : Alex Shaw
Email : alex.shaw@ambervalley.gov.uk

Dear Mr Edmondson,

Proposal	**Application for a lawful development certificate for proposed erection of a single-storey detached outbuilding containing a swimming pool, with the formation of a parking area.**
Location	**Thimble Bottom 8 Burland Green Lane Weston Underwood**
Applicant	**Mr Keith Edmondson Thimble Bottom 8 Burland Green Lane Weston Underwood**

AMBER VALLEY BOROUGH COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990
SECTION 192 (as amended by section 10 of the Planning and Compensation Act 1991)

TOWN AND COUNTRY PLANNING
(DEVELOPMENT MANAGEMENT PROCEDURE) 2015: ARTICLE 39

General Permitted Development Order 2015

CERTIFICATE OF PROPOSED LAWFUL DEVELOPMENT

The **Amber Valley Borough Council** hereby certify that on the use described in the First Schedule to this certificate in respect of the land specified in the Second Schedule to this certificate and edged red on the plan attached to this certificate, was lawful within the meaning of section 192 of the Town and Country Planning Act 1990 (as amended), for the following reason(s):

The above application complies with the provisions of Town and Country Planning (General Permitted Development) England) Order 2015 Schedule 2, Part 1, Class E and Class F. Subject to the development conforming with the conditions set out in Schedule 2, Part 1 Class F.2, It is considered that the proposal constitutes lawful development.

The Council notes that the works undertaken fall within the **Root Protection Area of a tree protected by a Tree Preservation Order (TPO)** (AVBC 15). Any works which may cut, damage, disturb or otherwise affect the roots of a protected tree require the **prior written consent of the Local Planning Authority**. An application must be made under the **Town and Country Planning Act 1990**, and no works should be carried out unless and until formal consent is granted. Undertaking unauthorised works to a tree protected by a TPO, including works within its Root Protection Area, constitutes an

offence under **section 210 of the Town and Country Planning Act 1990** and may result in prosecution. On conviction, the courts may impose an **unlimited fine**, and there is also a legal duty to plant a replacement tree where a protected tree is removed or damaged without consent.
The application form makes no mention of a retaining wall or a fence located around the parking area; therefore, this has not been assessed under this application and does not grant permission for this to be constructed.

Signed:



Simon Gladwin
Chief Executive
Date 04.02.2026

First Schedule

Application for a lawful development certificate for proposed erection of a single-storey detached outbuilding containing a swimming pool, with the formation of a parking area.

Second Schedule

Thimble Bottom 8 Burland Green Lane Weston Underwood

Notes

1. This certificate is issued solely for the purpose of section 191/192 of the Town and Country Planning Act 1990 (as amended).
2. It certifies that the use specified in the First Schedule taking place on the land described in the Second Schedule was lawful, on the specified date and, thus, was not liable to enforcement action under section 172 of the 1990 Act on that date.
3. This certificate applies only to the extent of the use described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any use which is materially different from that described or which relates to other land may render the owner or occupier liable to enforcement action.
4. The effect of the certificate is also qualified by the proviso in section 192(4) of the 1990 Act, as amended, which states that the lawfulness of a described use or operations is only conclusively presumed where there has been no material change, before the use is instituted or the operations begun, in any of the matters relevant to determining such lawfulness.

This decision is based on the following submitted plans/documents:

Plan Type	Reference	Version	Date Received
Elevations and floor plans	6533 01/	R3	18.12.2025
Site layout Plan	6533 05/	R3	18.12.2025

