S Gladwin
Chief Executive
Development Management

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Alexis Myers
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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 policies of the Amber Valley Borough Local Plan 2022-2040, and with reference to your application (**Office Code: AVA/2026/0065**) which was valid on the 6 February 2026 for permission for **Change of use of existing domestic storage room to tattoo studio at 18 Bank Street Somercotes 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 subject to the following conditions:**

Conditions/Reasons

1. This permission is valid for a limited period only, expiring on 30.12.2027 On or before that date the use hereby approved shall cease and the site be reinstated to its existing use unless a further planning application has been submitted to and approved by the Local Planning Authority.

   Reason: The development is of a type not considered suitable for permanent retention in accordance with policy EN11 of the Adopted Amber Valley Borough Local Plan 2026.

2. The development hereby permitted shall be carried out only in accordance with the details and specifications shown on the submitted drawing received on 04.02.2026 and additional parking drawing received 09.03.2026.

Date : 22 April 2026

Signed

Simon Gladwin
Chief Executive

Reason: To ensure that the development takes the form envisaged by the Local Planning Authority when determining the application in accordance with policy EN15 of the Adopted Amber Valley Borough Local Plan 2026.

3. The tattoo studio use hereby permitted shall be carried on only by Alexis Myers of 18 Bank Street Somercotes and no additional staff shall be employed.

   Reason: To enable the Local Planning Authority to assess the impact of the proposed development in accordance with saved policy EN11 of the Adopted Amber Valley Borough Local Plan 2026.

4. The use hereby permitted shall not be open to customers other than between 09:00 and 16:00 on Mondays to Fridays and between 10:00 and 16:00 on Saturdays. The use shall not be open to customers or deliveries at any other time including Sundays and bank holidays.

   Reason: To protect the amenity of the residents of adjacent properties in accordance with policy EN16 of the Adopted Amber Valley Borough Local Plan 2006.

5. The hereby approved use of a tattoo studio is permitted only. No other use shall operate from the building.

   Reason: To enable the Local Planning Authority to maintain a satisfactory control of the activities involved in accordance with policy EN11of the Adopted Amber Valley Borough Local Plan 2026.

6. A minimum 15-minute gap shall be provided between appointments and a record kept accordingly.

   Reason: In the interest of highway safety.

7. Notwithstanding the submitted drawings, the development hereby permitted shall not be brought into use until the existing access to Brenden Avenue has been modified in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The site access scheme shall include, but not be restricted to, the following:

   Space has been provided for the parking of 2 vehicles each space measuring at least 2.4m x 4.8m.

   Reason: In the interest of highway safety.

Date : 22 April 2026

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Notes

Attention is drawn to the attached notes:

1 The applicant is advised that business waste must be disposed of via a trade waste contract: further advice is available at https://www.gov.uk/managing-your-waste-an-overview and https://www.ambervalley.gov.uk/rubbish-waste-and-recycling/trade-waste/.

2 Planning permission does not convey consent to work on or adjacent to the public highway.

The developer must obtain a license under Section 184 of the Highways Act 1980 before commencing any works on the highway.

Details are available at: www.derbyshire.gov.uk/transport-roads/roads-traffic/licences-enforcements/vehicular-access/vehicle-accesses-crossovers-and-dropped-kerbs.aspx or email highways.hub@derbyshire.gov.uk

The deposit of mud or other items, and/or the discharge of water, onto the public highway are offences under Sections 149 and 151, Highways Act 1980. The applicant, any contractors, and the owner/occupier of the land must therefore ensure that nothing is deposited on the highway, nor that any soil or refuse etc is washed onto the highway, from the site. Failure to prevent this may force the highway authority to take both practical and legal action (which may include prosecution) against the applicant/contractors/owner or occupier of the land.

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 policies of the Amber Valley Borough Local Plan 2022-2040:

SS1 - Presumption in favour of Sustainable
EN15 - Quality and Design of Development
EN10 - Pollution
EN11 - Derelict, Unstable & Contaminated Land
IN1 - Transport

Date : 22 April 2026

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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 : 22 April 2026

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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 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.