**S Gladwin**
**Chief Executive**
**Development Management**

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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/2025/0505**) which was valid on the 11 July 2025 for permission for **Demolition of garage, two storey extension to side elevation, single storey glazed extension to principal elevation at The Old Vicarage Derby Road Milford**

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 amended drawings Proposed Ground Level Plan 020-A004, Proposed Ground Floor Plan 020-A105 Rev B, Proposed First Floor Plan 020-A106 Rev B and Proposed Roof Plan 020-A108 Rev B received on 13.11.2025 and Proposed North West and South East Elevations 020-A201 Rev B and Proposed South West and North East Elevations 020-A202 Rev B received on 17.11.2025.

Date : 12 May 2026

Signed S Gladwin

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 policies SS8, EN4, EN5 and EN15 of the Adopted Amber Valley Borough Local Plan 2022-2040.

3. The facing and roofing materials to be used in the development hereby permitted shall match as closely as possible those used in the construction of the existing building.

   **Reason**: To ensure the satisfactory appearance of the completed development in accordance with policies EN4, EN5 and EN15 of the Adopted Amber Valley Borough Local Plan 2022-2040.

4. The existing stone mullioned window to the south elevation of the service block shall be relocated in the first-floor south elevation of the hereby approved two-storey extension, unless otherwise agreed with the Local Planning Authority.

   **Reason**: To ensure that the development takes the form envisaged by the Local Planning Authority when determining the application in accordance with policies EN4, EN5 and EN15 of the Adopted Amber Valley Borough Local Plan 2022-2040.

5. A sample panel of newly quarried stone for the north-east gable extension shall be laid at 1.5 metres square on site and finished with a brushed lime mortar and shall be approved in writing by the Local Planning Authority; the stone panel shall be retained for the duration of the construction of the extension as a template for new masonry.

   **Reason**: To ensure that the development takes the form envisaged by the Local Planning Authority when determining the application in accordance with policies EN4, EN5 and EN15 of the Adopted Amber Valley Borough Local Plan 2022-2040.

6. Samples of stone for new dressings, incorporating the proposed dressed face, shall be provided on site for the inspection and approval in writing by the Local Planning Authority.

   **Reason**: To ensure that the development takes the form envisaged by the Local Planning Authority when determining the application in accordance with policies EN4, EN5 and EN15 of the Adopted Amber Valley Borough Local Plan 2022-2040.

7. Sectional drawings through new masonry windows and doors at a scale of no less than 1:5 shall be submitted to and approved in writing by the Local Planning Authority.

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**Reason**: To ensure that the development takes the form envisaged by the Local Planning Authority when determining the application in accordance with policies EN4, EN5 and EN15 of the Adopted Amber Valley Borough Local Plan 2022-2040.

8. Samples of new roof tiles and ridge tiles, which shall be non-interlocking, plain clay tiles, and clay ridges, shall be submitted to and approved in writing by the Local Planning Authority.

   **Reason**: To ensure that the development takes the form envisaged by the Local Planning Authority when determining the application in accordance with policies EN4, EN5 and EN15 of the Adopted Amber Valley Borough Local Plan 2022-2040.

9. Sectional drawings through all new rainwater gutters, which shall be ogee profile to match the existing, unless otherwise agreed in writing, shall be submitted to and approved in writing by the Local Planning Authority.

   **Reason**: To ensure that the development takes the form envisaged by the Local Planning Authority when determining the application in accordance with policies EN4, EN5 and EN15 of the Adopted Amber Valley Borough Local Plan 2022-2040.

10. Sectional drawings through the eaves and verge to show all timber sections, including bargeboards, soffit boards and fascias, shall be submitted to and approved in writing by the Local Planning Authority; notwithstanding the agreed sections, none of the eaves / verges shall be undertaken in uPVC or GRP.

    **Reason**: To ensure that the development takes the form envisaged by the Local Planning Authority when determining the application in accordance with policies EN4, EN5 and EN15 of the Adopted Amber Valley Borough Local Plan 2022-2040.

11. A sectional working construction drawing through the new roof of the glazed extension, including the interface of the roof and windows, shall be submitted to and approved in writing by the Local Planning Authority.

    **Reason**: To ensure that the development takes the form envisaged by the Local Planning Authority when determining the application in accordance with policies EN4, EN5 and EN15 of the Adopted Amber Valley Borough Local Plan 2022-2040.

12. Notwithstanding the hereby approved drawings, landscaping details of the new paved patio, including finished paved materials and details of any walls, height, finish, and method of construction, to the north-east of the extensions shall be submitted to and approved in writing by the Local Planning Authority.

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**Reason**: To ensure that the development takes the form envisaged by the Local Planning Authority when determining the application in accordance with policies EN4, EN5 and EN15 of the Adopted Amber Valley Borough Local Plan 2022-2040.

13. The development hereby permitted shall be carried out only in accordance with the details and specifications set out in the Supplementary Arboricultural Information, Land at The Old Vicarage AVA/2025/0505, comprising AIA, TPP and AMS (produced by Dr Stefan Bodnar MCIEEM, dated March 2026) received on 14.04.2025.

    The recommended tree protection measures shall be in place prior to commencement of works and remain for the duration of the development.

    **Reason**: To ensure that the trees on the site are satisfactorily protected during the period when construction works take place on the site in accordance with policies EN8 and EN9 of the Adopted Amber Valley Borough Local Plan 2022-2040.

**Notes**
**Attention is drawn to the attached notes:**

**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 policies of the Amber Valley Borough Local Plan 2022-2040.

SS8 - Green Belt
EN4 - Heritage Assets
EN5 - Derwent Valley Mills World Heritage Site
EN8 - Biodiversity
EN9 - Biodiversity Gains
EN15 - Quality and Design of Development
IN1 - Transport

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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 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.**