S Gladwin
Chief Executive
Development Management

Town Hall
Ripley
Derbyshire DE5 3BT
Tel: 01773 570222
Email: enquiry@ambervalley.gov.uk
Web: www.ambervalley.gov.uk

Mr Sunny Chandhoke
69 Blagreaves Lane
Littleover
Derby
DE23 1FQ

Mr Paul Hurley
Aegis Architects
Unit 1
34 Laurel Drive
Stockton
Southam
Warwickshire
CV47 8FB

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/2026/0157**) which was valid on the 13 March 2026 for permission for **Erection of single storey side extension to provide additional front of house floor space associated with existing public house / restaurant (may affect the character and appearance of the Conservation Area and setting of Listed Buildings) at Elephant And Peacock 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 drawings AA-679-001, AA-679-005 and AA-679-007 received on 11.03.2026 and amended drawings AA-679-002B and AA-679-003B received on 11.05.2026.

Date : 15 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 EN4, EN5 and EN15 of the Adopted Amber Valley Borough Local Plan 2022-2040.

3. The area to the north of the hereby approved development, below the retaining wall, shall not be used not be used for construction activity or storage of materials unless a scheme for protecting the existing trees on the site during the construction process, with appropriate Arboricultural Method Statement in the format of BS5837:2012, has been submitted to and approved by the Local Planning Authority. The approved scheme shall thereafter be implemented and maintained during the course of 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 policy EN8 of the Adopted Amber Valley Borough Local Plan 2022-2040.

4. All joinery to the windows, doors, and framework of the hereby approved development shall be constructed in painted timber to match the existing conservatory joinery as closely as possible.

   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 2022-2024.

5. Prior to commencement of works, samples of the roofing materials, which shall be plain clay tiles, and natural sandstone for the plinth shall be submitted to and approved in writing by the Local Planning Authority, and the development shall be constructed using the approved materials.

   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 2022-2024.

Notes
Attention is drawn to the attached notes:

1 The applicant is advised to consider whether there have been any potentially contaminative activities, processes or materials brought to the development site which might have resulted in ground contamination. Agricultural, commercial and industrial land can be associated with fuels, oils, lubricants, solvents, other chemicals; sheep dips, pesticides, manure heaps / slurry pits; poor waste handling practices, including

Date : 15 May 2026

Signed

Simon Gladwin
Chief Executive

disposal of materials by burning and burial; asbestos fragments/fibres; 'made-ground' - importation and use of non-native soils. Exposure to these materials can, in certain circumstances, be harmful to human health and the wider environment.

In accordance with S197 of the National Planning Policy Framework (NPPF), responsibly for contaminated land rests with the developer. The developer is responsible for any harms that may subsequently occur as a consequence of their actions or inactions. As such, it is in the developer's interest to disclose any contaminated land constraints of a material concern at the planning stage. The developer should be aware that actions or omissions on their part could lead to liability being incurred, e.g. where development fails to address an existing unacceptable risk or creates such a risk by introducing a new receptor or pathway.

The applicant should seek professional advice (as appropriate) should contamination be suspected at any stage of the development and inform the Council's Scientific Officer at the earliest opportunity.

More information regarding land contamination can be found on the Councils Land Pollution web page (Land contamination).

The developer should seek professional advice if they suspect Asbestos Containing Material (ACM) is present on any building to be demolished or altered. More information regarding ACM can be found on the Health and Safety Executives web page (www.hse.gov.uk/asbestos).

2 The Applicant is reminded of the legal protection afforded to trees in a Conservation Area and should contact landscapeservices@ambervalley.gov.uk for advice.

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
ED2 - Other Business & Industrial Development
EN4 - Heritage Assets
EN5 - Derwent Valley Mills World Heritage Site

Date : 15 May 2026 Signed

Simon Gladwin
Chief Executive

EN10 - Pollution
EN11 - Derelict, Unstable & Contaminated Land
EN15 - Quality and Design of Development
IN1 - Transport

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 : 15 May 2026

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.