S Gladwin
Chief Executive
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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/2026/0174**) which was valid on the 18 March 2026 for permission for **Demolition of existing bungalow and construction of a replacement self-build bungalow with detached garage and outbuilding at 15 Station Road Denby Ripley**

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 drawing PA/26-004 SK 81 03 D received on 16.06.2026.

   Reason: To ensure that the development takes the form envisaged by the Local Planning Authority when determining the application in accordance with policy EN8, EN9 and EN15 of the Adopted Amber Valley Borough Local Plan 2006.

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3. The hereby approved dwelling permitted shall be constructed as a self-build dwelling within the definition of a self-build and custom build housing in the 2015 Act:
i) The first occupation of the dwelling hereby permitted shall be by a person or persons who had a primary input into the design and layout of the unit and who intends to live in the unit for at least 3 years.
ii) The Council shall be notified of the persons who intend to take up first occupation of the dwelling hereby permitted at least 2 months prior to first occupation.

   Reason: To ensure the development complies with the self-build and custom house build definition in accordance with National Policy.

4. Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 2008 (or any other revoking and re-enacting that Order) no development relating to Class A, B, C, D or E of Part 1 of Schedule 2 (erection of extensions; alterations to the roof; buildings incidental to the enjoyment of the dwelling house; the insertion, enlargement, improvement or replacement of windows or doors; erection or construction of a porch) shall be undertaken without the prior written approval of the Local Planning Authority.

   Reason: To protect the character and visual amenities of the locality in accordance with policy EN15 of the Adopted Amber Valley Borough Local Plan 2022-2040.

5. No part of the development hereby permitted shall be brought into use until the site access and driveway/parking/turning areas are provided in accordance with the scheme illustrated on the approved site plan PA/26-004 SK 81 03 D. The driveway/parking/turning areas shall not be used for any purpose other than parking/turning/loading/unloading of vehicles.

   Reason: In the interests of the safety of the users of the access and public highway safety in general in accordance with policy IN1 of the Adopted Amber Valley Borough Local Plan 2022-2040.

6. No part of the development hereby permitted shall be brought into use until provision has been made within the application site for secure, covered cycle parking, secure cycle equipment storage, and electric vehicle charging facilities in accordance with details shown on application drawing PA/26-004 SK 81 03 D.

   Reason: To promote sustainable travel in accordance with policy EN1 of the Adopted Amber Valley Borough Local Plan 2022-2040.

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7. The vehicular access hereby permitted shall not be brought into use until the existing pedestrian access to the site has been permanently closed in accordance with details as shown on drawing number PA/26-004 SK 81 03 D with full height kerbs and the footway reinstated.

   Reason: In the interests of the safety of the users of the access and public highway safety in general in accordance with policy IN1 of the Adopted Amber Valley Borough Local Plan 2022-2040.

8. No development shall take place other than in accordance with the agreed written scheme of investigation (WSI) for archaeological work (15 Station Road, Denby, Derbyshire: Written Scheme of Investigation for Archaeological Watching Brief, Matt Hurford Historic Buildings and Archaeology Services, April 2026). All elements of work specified in the WSI shall be completed unless otherwise agreed in writing by the Local Planning Authority.

   Reason: In order to provide an historic record of the built heritage of the site in accordance with policy EN6 of the Adopted Amber Valley Local Plan 2022-2040.

9. No above ground development shall commence (excluding the demolition of existing structures) until;
   a) a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past coal mining activity; and
   b) any remediation works and/or mitigation measures to address land instability arising from past coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.
   The intrusive site investigations, remedial works and mitigatory measures shall be carried out in accordance with authoritative UK guidance.

   Reason: In the interests of safeguarding the proposed development and adjacent properties from the possible harmful effects of development affecting contaminated land, in accordance with policy EN11 of the Adopted Amber Valley Borough Local Plan 2022-2040.

10. Prior to the occupation of the development, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

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Reason: In the interests of safeguarding the proposed development and adjacent properties from the possible harmful effects of development affecting contaminated land, in accordance with policy EN11 of the Adopted Amber Valley Borough Local Plan 2022-2040.

11. (a) The development shall be undertaken in strict compliance with the requirements contained within the approved RMS as detailed in Section 7 of the Phase 2 ERDA Associates Ltd report Ref: EAL.418.25 May 2026. Any proposed revisions to the RMS must be submitted and approved in writing by the Local Planning Authority prior to any changes in remediation methods.

(b) If during development works, any contamination is encountered which was not previously identified and is derived from a different source and/or of a different type to those already identified, then no further works shall take place until a revised RMS is submitted to and approved in writing by the Local Planning Authority and the works shall then be carried out in accordance with the revised RMS.

(c) If during development work, site contamination is found in areas previously expected to be uncontaminated, then the remediation of those areas shall be carried out in accordance with the approved RMS.

(d) No building shall be occupied unless and until a Verification Report in accordance with the RMS has been submitted to and approved in writing by the Local Planning Authority.

(e) All investigations, assessments and reports must be carried out by a suitably qualified competent person previously agreed in writing by the Local Planning Authority and in accordance with the most recent version of BS 10175: Code of practice for the investigation of potentially contaminated sites.

Reason: In the interests of safeguarding the proposed development and adjacent properties from the possible harmful effects of development affecting contaminated land, in accordance with policy EN11 of the Adopted Amber Valley Borough Local Plan 2022-2040.

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Notes
Attention is drawn to the attached notes:

1 Planning permission does not convey consent to work on or adjacent to the public highway. Prior to any works commencing on site, including demolition works, the developer must obtain the highway authority's consent.

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.

2 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.

3 Under the Coal Industry Act 1994 any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) require the prior written permission of the Mining Remediation Authority since these activities can have serious public health and safety implications. Such activities could include site investigation boreholes, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain permission to enter or disturb our property will result in the potential for court action. Application forms for Mining Remediation Authority permission and further guidance can be obtained from: www.gov.uk/get-a-permit-to-deal-with-a-coalmine-on-your-property

4 If any future development has the potential to encounter coal seams which require excavating, for example excavation of building foundations, service trenches, development platforms, earthworks, non-coal mineral operations, an Incidental Coal Agreement will be required from the Mining Remediation Authority. Further information regarding Incidental Coal Agreements can be found at:
www.gov.uk/government/publications/incidental-coal-agreement/guidance-notes-for-applicants-for-incidental-coal-agreements.

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5 In areas where shallow coal seams are present caution should be taken when carrying out any on site burning or heat focused activities.

6 The Air Source Heat Pump proposed as part of the hereby approved development has not been formally considered as part of the scheme, and the Applicant is therefore reminded that it would need to comply with the requirements of the Town and Country Planning (General Permitted Development)(England) Order 2015, as updated by subsequent amendment orders, Schedule 2, Part 14, Class G - installation or alteration etc of air source heat pumps on domestic premises.

7 All site preparation, demolition and construction activities shall comply with the following:

a. Operating hours
No works, or deliveries to and from the site, shall occur other than between 08:00 and 18:00 hours on weekdays and between 08:00 and 13:00 hours on Saturdays. No works shall take place on Sundays or bank holidays. Any essential extension to these hours, other than for emergency works, shall be agreed with the Local Planning Authority before work commences. Activities that do not create noise and disturbance to residents may still take place outside these hours.

b. Noise and vibration:
All activities shall comply with the guidance in British Standard BS 5228-1:2009+A1:2014 Code of practice for noise and vibration control on construction and open sites - Part 1: Noise (Section 8 and Annex B) and Part 2: Vibration (Section 8).

c. Dust/Particulate emissions:
No visible dust/particulate matter shall be emitted beyond the site boundary. At such times as the prevention of nuisance is not possible, dust/particulate generating activities shall temporarily cease until such time as dust suppression measures become effective.

d. Waste:
No unwanted materials shall be disposed of on site by burning.

e. Lighting:
Any temporary site lighting shall be positioned on site to minimise light trespass and glare.

Reasons for Granting Permission

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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:

H1 - Within Adjacent to Urban Areas and Key Villages
SS1 - Presumption in favour of Sustainable Development
SS3 - Settlement Hierarchy
EN1 - Climate Change
EN6 - Archaeology
EN8 - Biodiversity
EN9 - Biodiversity Gains
EN10 - Pollution
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, 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 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.