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/2026/0242**) which was valid on the 23 April 2026 for permission for **Bricking up existing carport opening to facilitate the creation of an enclosed entrance hall and dining area. Demolition of existing coal store to enable the provision of off-street parking, including alterations to access at 59 Tamworth Street Duffield Belper.**

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 following drawings:-
   Proposed Elevations - Drawing PE1 Rev 3 1:100
   Proposed Front Door - Drawing FD1
   Design and Access Statement - April 2026 - incl Site Layout Plan

Date : 23 July 2026

Signed

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

3. No part of the development hereby permitted shall be brought into use until the existing vehicular access to the site has been permanently closed.

   Reason: To comply with policies IN1 and EN15(i) of the Adopted Amber Valley Borough Local Plan 2022-2040.

4. Notwithstanding the submitted plan, the vehicle hardstanding will be finished in solid bound material unless otherwise agreed in writing by the Local Planning Authority.

   Reason: In the interest of highway safety in accordance with policies IN1 and EN15 Adopted Amber Valley Borough Local Plan 2022-2040.

5. Prior to commencement, full details of all windows and doors (including colour) shall be submitted to and approved in writing by the Local Planning Authority; this shall include scaled drawings at a minimum scale of 1:5 of sections through the masonry and windows, showing details of all lintels and cills, and the development shall be constructed in accordance with those drawings.

   Reason: To comply with policies EN4 and EN15(q) of the Adopted Amber Valley Borough Local Plan 2022-2040.

6. Notwithstanding submitted plans, prior to commencement of development, full details of stone lintels and cills, including the quarry source, and the dressed and tooled finish, shall be submitted and agreed in writing with the Local Planning Authority. The work shall be carried out only in accordance with the agreed scheme.

   Reason: To comply with policies EN4 and EN15(q) of the Adopted Amber Valley Borough Local Plan 2022-2040.

7. Samples of brick to be used for the infilling of the carport shall be provided for the approval of the Local Planning Authority prior to installation and the approved samples shall be thereafter implemented in full.

   Reason: To comply with policies EN4 and EN15(q) of the Adopted Amber Valley Borough Local Plan 2022-2040.

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8. Prior to first occupation, at least one bird nesting box shall be installed within the residential curtilage of the dwelling and thereafter retained for the lifetime of the development.

   Reason: To ensure the enhancement of biodiversity in accordance with policy EN8; of the Adopted Amber Valley Borough Local Plan 2022 - 2040.

Notes

Attention is drawn to the attached notes:

1 In relation to condition 3, the proposed windows will match the existing sliding sash windows in full.

2 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.

3 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.

4 "The applicant is strongly urged to help meet the Government's commitments to achieve net-zero carbon emissions by 2050, and to meeting the NPPF's environmental objective of mitigating and adapting to meet climate change, including moving to a low carbon economy. Therefore, the applicant is strongly urged to include on-site renewable energy generation (e.g. solar panels), the de-carbonising of heating systems (e.g. air-/ground-source heat pumps) and enhanced levels of insulation beyond those required by present building standards."

   Advice in relation to sustainable energy measures and any need for planning permission can be found at https://www.planningportal.co.uk/info/200125/do_you_need_permission

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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;

SS3 - Settlement Hierarchy
H1 - Within Adjacent to Urban Areas and Key v
EN1 - Climate Change
EN5 - Derwent Valley Mills World Heritage Site
EN15 - Quality and Design of Development

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.