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

Lubrizol Ltd
The Knowle
Nether Lane
Hazelwood
Belper
Derbyshire
DE56 4AN

Mr Peter Newman-Earp
Morrison Design Ltd
Darley Abbey Mills
3rd Floor
The Long Mill
Derby
DE22 1DZ

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/2026/0259**) which was valid on the 23 April 2026 for permission for **Removal of existing sprinkler tank and sprinkler pump house and replace with new sprinkler pump house and tank at Lubrizol Ltd The Knowle Nether Lane.**

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 5155-MDL-XX-00-D-A-0100 Rev P02 (Site Location Plan), 5155-MDL-XX-00-D-A-0102 Rev P03 (Site Plan Proposed), 5155-MDL-XX-00-D-A-0300 Rev P02 (South West Elevation Existing and Proposed), 5155-MDL-XX-00-D-A-0301 Rev P02 (South East Elevation Existing and Proposed) and 5155-MDL-XX-00-D-A-0302 Rev P02 (North East Elevation Existing and Proposed) received on 23.04.2026.

Date : 24 July 2026

Signed

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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 policy EN15 of the Adopted Amber Valley Borough Local Plan 2022-2040.

3. The development hereby permitted shall be carried out only in accordance with the details and specifications set out in the Arboricultural Survey Report & Method Statement(produced by John Booth Arboricultural Consultants, 25 June 2026) received on 02.07.2026.

   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 EN7 of the Adopted Amber Valley Borough Local Plan 2022-2040

4. No development shall take place until there has been submitted to and approved by the Local Planning Authority a landscaping plan and management scheme and the approved plan and scheme be implemented in full.

   All planting, seeding or turfing indicated on the approved landscaping scheme shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

   Reason: To ensure the satisfactory overall appearance of the completed development and to help assimilate the new development into its surroundings in accordance with policy EN7 of the Adopted Amber Valley Borough Local Plan 2022-2040.

5. Prior to the completion of the development, a bat and bird box scheme shall be provided within the site.

   Reason: In the interests of ensuring measurable net gains to biodiversity and in accordance with the National Planning Policy Framework and Schedule 7A Town and Country Planning Act (inserted by the Environment Act 2021) in accordance with policies EN8 and EN9 of the Adopted Amber Valley Borough Local Plan 2022-2040.

6. Prior to the installation of lighting fixtures, a detailed lighting strategy shall be submitted to and approved in writing by the LPA to safeguard bats and other nocturnal wildlife. Such approved measures will be implemented in full.

Date : 24 July 2026

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Reason: To ensure the development does not have an adverse impact upon species specifically protected under the Wildlife and Countryside Act 1981 in accordance with saved policy EN8 of the Adopted Amber Valley Borough Local Plan 2022-2040.

7. Prior to the commencement of development, including preparatory site clearance, a detailed badger survey for any recently excavated badger setts on the site or within 30 metres of the site boundary shall be undertaken. The results and any appropriate mitigation/licensing requirements shall be submitted to the Local Planning Authority for approval. Such approved measures shall be implemented in full.

Reason: To ensure the development does not have an adverse impact upon species specifically protected under the Wildlife and Countryside Act 1981 in accordance with saved policy EN8 of the Adopted Amber Valley Borough Local Plan 2022-2040.

Notes

Attention is drawn to the attached notes:

1 In relation to the bat and bird box plan required by Condition 5, boxes shall be attached to retained mature trees with bird boxes avoiding south-facing aspects. Photographs of the boxes in situ shall be submitted to the Local Planning Authority.

2 The lighting scheme required by Condition 6 should provide details of the chosen luminaires, their locations and any mitigating features such as dimmers, PIR sensors and timers. Dependent on the scale of proposed lighting, a lux contour plan may be required to demonstrate acceptable levels of lightspill to any sensitive ecological zones/features. The Strategy should refer to Guidance Note 08/23 - Bats and Artificial Lighting at Night (BCT and ILP, 2023) and explain how proposals have been designed in compliance with this document.

3 No tree, scrub or hedgerow clearance shall take place between 1st March and 31st August inclusive, unless preceded by a nesting bird survey undertaken by a competent ecologist no more than 48 hours prior to clearance. If nesting birds are present, an appropriate exclusion zone will be implemented and monitored until the chicks have fledged. No works shall be undertaken within exclusion zones whilst nesting birds are present.

4 Vegetation clearance should be reduced to an approximately height of 150 mm via a hand strimmer prior to ground works commencing to encourage individuals to move away from the construction areas. All excavations shall be covered overnight or else have an escape ramp to prevent entrapment of herptiles. All pipework greater than 150 mm shall be blanked off at the end of the day and chemicals shall be stored securely.

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Any excavated material stored overnight should be searched prior to being used as infill. All other materials should be kept on raised areas, namely pallets, to avoid creating refugia.

Should great crested newt be found at any point during construction works, works must cease immediately, and an ecologist will be sought.

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
ED1 - Development Within Existing Business &
EN7 - Landscape Character & Features
EN8 - Biodiversity
EN9 - Biodiversity Gains
EN10 - Pollution
EN15 - Quality and Design of Development
IN1 - Transport

In detail:

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.

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.

Date : 24 July 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.