AVA/2026/0290 | Pingle House Pingle Lane Belper Derbyshire DE56 1DW
Email: rebecca.godson@ambervalley.gov.uk to samuel.young@planningdesign.co.uk
Sent: Tuesday, June 23, 2026 8:06 AM

Query 1:

The chronology contains several references to foundation excavation works (23 April, 24/25 April, 7 May, 10 May and 12 May). Please could you provide details of the trenches excavated on each of those dates, including:

1. their location (preferably shown on a scaled plan);
2. their dimensions and depth; and
3. whether they corresponded with the foundation layout approved under the planning permission?

Response (based on the following extracts from my statutory declaration)**:**

Friday, 19 April 2019

…To clear the site for the foundations and footings, started the demolition of the triangular patio 7.5 square metres in area between the stone outbuilding and the wooden garage by removing the top flagstones and the stepping stones…

Monday, 22 April 2019

To clear the site for the foundations and the footings, removed the flag stones from the path down to the west end of the house line, approximately 8 metres in length…Removed about one third of the foundation stones for the patio area, and exposed the base of a path or foundation running from the path to the stone outbuilding…

Tuesday, 23 April 2019

Removed all the foundation stone and rubble for the patio area to clear the site and started hand digging out to contain the foundations next to the stone outbuilding…Removed the soil from behind the eastern wall up to the stone outbuilding to the rear of the site, along with all the stone and rubble removed as above.

Wednesday/Thursday, 24/25 April 2019

Continued hand digging out the foundations around the roots of the Beech tree and down from the stone outbuilding in the area to the north side of the wooden garage…

Monday, 7 May 2019

Removed further stone from around the base of the wooden garage, including the concrete lip along the north side, removed tree stumps on the west side, the steps into the wooden garage, and various stones on the south side. Removed further stone at the road edge next to the north side of the stone outbuilding and continued to dig out the foundations and footings trench, exposing the Beech tree roots, which were wrapped in lagging material for protection…

Friday, 10 May 2019

Began clearing and digging out the footing and foundation area for the house at the west end of the wooden garage, along with extra for the proposed patio area…

Sunday, 12 May2019

Continued the above work and cleared up site behind the stone outbuilding and dug out the remaining foundations from the above path…

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In the Decision Notice of 18 June 2016 AVA/2016/0274, condition 7 states:

The hereby approved dwelling shall be constructed fully in accordance with specifications contained in the Arboricultural Survey Report and Method Statement (ASRMS) John A Booth (December 2015) and Engineering Statement on Foundation Design (ESFD) - GCA (Ref: 1/L/RC May 2016).

The above listed works were undertaken following the advice in the ASRMS that necessary excavations may need to be carried out by hand to avoid damage to the major roots given that they were located within the root protection area of the Beech tree, a circle diameter of 8.9 metres as shown hatched orange in the appended 2102 (03) 02 Site Proposed drawing.

The ESFD recorded that the foundations of the proposed dwelling would be constructed in the root protection area and that based on the recommendation in the ASRMS, and to minimise the overall construction depth, the proposal provided for a flat slab design, supported off piles, with stainless steel edging to the perimeter to support the facing brick work.

The proposed method in the ESFD included:

a. Hand auguring to a depth of 750mm undertaken at all pile positions within the root protection area, if any roots greater than 20mm in diameter are found the pile is to be moved and the new position reaugured
b. The ground surface is to be protected with a breathable geotextile membrane.

The above listed enabling works were undertaken to prepare the site for this method, namely:

- Manual demolition of the hard surface being the crazy-paved patio in the corner of the stone outbuilding and the wooden garage measuring 7.5 square metres in area and the crazy-paved path down to the west end of the proposed house line, approximately 8 metres in length.
- Excavation by hand of all the loose foundation stones beneath the hard surface to expose the soil and the tree roots.
- Manual removal of all this hard material as show in the supporting photographs.
- Digging out by spade the soil to further expose the main tree roots, in particular digging a trench along the west wall of the stone outbuilding to expose the interface between its foundations and the tree roots and to sufficiently expose the tree roots in that location such that the piles could be located without hand auguring.
- Manual removal of the soil as shown in the supporting photographs.

The main trench is in the corner of the stone outbuilding and the foundations of the wooden garage measuring c.2.2 metres along the stone outbuilding and c.3.4 metres along the foundations of the wooden garage, to a depth of c.33 centimetres to reveal the foundations of the stone outbuilding. This also revealed a then unknown stone-built substructure c.43 centimetres wide, starting c.75 centimetres west from the stone outbuilding, with its northern edge being c.2.5 metres from the north end of that outbuilding. This substructure is c.2.6 metres long in the trench, and further excavation at a lesser depth revealed that it continued for a further 2.5 metres in a straight line. The trenching was continued along the face of the stone outbuilding towards the Beech tree to reveal the rest of the foundations at a depth of between c.25 and 30 centimetres. See further appended 2102 (03) 1A Existing drawing.

This work is recorded in part in photographs 2019-5-26 19.24.50 and 2019-6-01 18.50.35, with the former showing the route of the substructure and the strung-out line of the western side of the proposed dwelling (above the tennis ball in the bottom left-hand corner) and the latter showing the main trench excavations.

The location of the work is shown on the appended 2102 (03) 1A Existing drawing, overlaid with the footprint of the proposed dwelling showing how the location corresponds with the then likely foundation layout and positioning of the piles. The approved ground floor plan and the proposed substructure following the technical design (see below) are shown on the appended 2102 (03) 02 Site Proposed drawing.

Query 2:

Please could you confirm whether there is any further independent evidence to substantiate the written accounts, such as contractor records, invoices, delivery notes, Building Control records, or witness statements.

Response:

Beyond obtaining witness statement from my wife and resident son or viewing the submitted photographs on my mobile telephone to confirm (i) the recorded chronology of the same against other contemporary personal photographs and (ii) the data details of the submitted photographs recording the timings of the same, the extent of the evidence in support of the application is as set out in the written, drawn and photographic material provided to date.

Query 3:

Please could you explain why the initial Building Regulations notice was not submitted until 2021 when the material start is supposed to have taken place in 2019?

Response:

The Beech tree is protected by a Tree Preservation Order (ref TPO416/2017), confirmed 15 January 2018, and a Section 106 Agreement served on 23 April 2009 to protect and manage the tree in accordance with the management framework contained in the Deed.

The works did take place as recorded above in 2019 and revealed extensive tree root activity in the area with the major roots visibly growing through the courses of the stone foundations of the stone outbuilding. The excavations also revealed a substantial stone substructure as described above, impacting on the piling for the foundations for the new dwelling. In the light of this, and the above TPO, I therefore decided that I would need further aboricultural and structural advice before progressing further with the works.

I did not progress this through 2019 for a number of personal and professional reasons, including prioritising the development of the land to the north of Pingle House. This remained the case through 2020, which was significantly impacted by the coronavirus epidemic.

In January 2021, following a site meeting to discuss the above works, I appointed the architect to progress the new dwelling. This was followed by the appointment of an arboriculturist, who produced a preliminary aboricultural method statement in March 2021 to guide the work of the civil and structural engineers who were also appointed. The initial site meeting was followed by various design development site meetings through February to April by or between these parties, allowing the architect and engineers to draw up the initial substructure and super structure designs for the stone outbuilding and proposed dwelling.

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This led to the appointment in July 2021 of Approved Building Control Limited to deal with Building Regulations.

The final aboricultural method statement is appended which confirms the extent of the excavation works as seen in March 2021. The technical design for the foundation layout plans is as shown in the appended 8942 – 01 Layouts – Rev B drawing, which followed advice from a piling and underpinning expert, ground investigations in June 2021 by a specialist company, loading and structural advice from the SIPs provider and the final aboricultural method statement.

Peter Carney

28 July 2026

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Appendices

Photographs 2019-5-26 19.24.50 and 2019-6-01 18.50.35

2102 (03) 1A Existing drawing

2102 (03) 02 Site Proposed drawing

8942 – 01 Layouts – Rev B drawing

Final aboricultural method statement – September 2021