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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/2025/0528**) which was valid on the 23 July 2025 for permission for **Conversion of two outbuildings into ancillary accommodation (may affect the setting of a Listed Building) at Firs Farm Nether Lane Hazelwood**

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 drawings:

   2430_009 Proposed Block Plan Rev C
   2430_010 Proposed Site Plan Rev C

   Received on 04.09.2025

   2430_024 Proposed Ground Floor Plans - Barns A and B Rev D

Date: 10 August 2026

Signed

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2430_026 Proposed Elevations - Barns A and B Rev E
2430_027 Proposed Elevations - Barns A and B Rev F
2430_029 Windows and Doors - Barns A and B
PanEuro Slim Flush Casement Drawings

Received on 31.03.2026; and

2430_028 Proposed Sections - Barn A Rev C

Received on 05.06.2026; and

2430_025 Proposed First Floor Plan - Barns A and B Rev D

Received on 07.08.2026.

Reason: To ensure that the development takes the form envisaged by the Local Planning Authority when determining the application in accordance with policies EN4, EN10 and EN15 of the Adopted Amber Valley Borough Local Plan 2022-2040.

3. The living accommodation hereby approved shall only be used as ancillary to the associated main household and shall not be severed as an independent and unconnected residence.

   Reason: The creation of a dwelling independent of the main household would not normally be permitted on this site due to its relationship to existing dwellings and level of amenity provision in accordance with policies EN10 and IN10 and relevant provisions of EN15 of the Adopted Amber Valley Borough Local Plan 2022-2040.

4. The stairwell window EW-30 shown on Drawing 2430_022 Rev D shall be glazed in highly obscured (non-see through) glass and be non-opening. Such work shall be completed prior to the commencement of use of the development and maintained as such thereafter.

   Reason: To safeguard the privacy and amenities of the occupiers of adjoining properties in accordance with policy EN15 of the Adopted Amber Valley Borough Local Plan 2022-2040.

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

Date: 10 August 2026

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Reason: To ensure the development does not have an adverse impact upon species specifically protected under the schedules of the Wildlife and Countryside Act 1981 in accordance with saved policies EN8 and EN9 of the Adopted Amber Valley Borough Local Plan 2022-2040.

6. Prior to building works commencing, a bat and bird box plan shall be submitted to and approved in writing by the Local Planning Authority. Such approved measures shall be implemented in full and maintained thereafter.

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

7. Prior to any stripping or conversion works, a precautionary inspection of the buildings shall be undertaken by a suitably qualified ecologist to ensure roosting bats are not present. Particular attention shall be paid to the features previously identified in the Potential Roost Assessment (Wildlife Consultants Limited, July 2025). The ecologist shall remain present whilst the roof coverings, including
   eaves, barge boards and areas of hanging tiles are stripped by hand. If evidence of roosting bats is found, no works shall commence until a suitable mitigation strategy has been produced (including licensing where necessary) and been submitted to the Local Planning Authority (LPA) for approval. A short statement of compliance shall be submitted to the LPA upon completion of the soft strip works.

   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 policies EN8 and EN9 of the Adopted Amber Valley Borough Local Plan 2022-2040.

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Notes
Attention is drawn to the attached notes:

1 The external lighting strategy required by Condition 5 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.

2 The bat and bird box plan required by Condition 6 shall include details of appropriate swallow mitigation to compensate for the loss of nesting provision. Swallow cups are designed to be fitted internally within an open-fronted structure, such as a stable, carport, wood store etc. and not to external walls.

A statement of good practice including photographs shall be submitted to the local planning authority to fully discharge this condition, demonstrating that the enhancements have been selected and installed in accordance with the approved plan.

3 No building conversion or 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 The internal elevation drawings required by Condition 7 shall show the proposed opening sizes to all openings, all material differences, the treatment and finish of all lintels and all rebated openings, including any joinery, and the junction of the roof, insulation, and plaster finishes and the main gable walls.

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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
SS3 - Settlement Hierarchy
H3 - Adjacent to Other Villages & Settlements
SS9 - Countryside
EN1 - Climate Change
EN4 - Heritage Assets
EN6 - Archaeology
EN7 - Landscape Character & Features
EN8 - Biodiversity
EN9 - Biodiversity Gains
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, sunlight/daylight, character and design, landscape or heritage features and highway safety.

Date: 10 August 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.