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

Mr M Hartshorne
G & M Hartshorne Ltd
4-5 Keys Road
Alfreton
Derbyshire
DE55 7FQ
UK

Mr E Austin
Perfectplace Ltd
Blue Horizon
Main Road
HIGHAM
DE55 6EH
United Kingdom

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/2025/0756**) which was valid on the 30 October 2025 for permission for **One dwelling at The Sycamores 47 The Common Crich**

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 SYC-SK-12B received on 30.01.2026.

   Reason: To ensure that the development takes the form envisaged by the Local Planning Authority when determining the application in accordance with policy LS3 of the Adopted Amber Valley Borough Local Plan 2006.

3. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority details and/or samples of the materials and

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finishes to be used for the external elevations and roof of the proposal, and the development shall be carried out with those materials.

Reason: To ensure the satisfactory appearance of the completed development in accordance with policies LS3 and H12 of the Adopted Amber Valley Borough Local Plan 2006.

4. No work shall commence on the site until full details of the proposed treatment of the boundary(ies) of the site has been submitted to and approved by the Local Planning Authority. Any agreed scheme shall be implemented in full in accordance with a phasing scheme prior to the occupation of the development.

   Reason: To ensure both the satisfactory appearance of the completed development and an adequate level of amenity for the proposed dwellings in accordance with policy H12 of the Adopted Amber Valley Borough Local Plan 2006.

5. The development hereby permitted shall not be occupied until details of refuse storage facilities have first been submitted to and approved in writing by the Local Planning Authority. Such facilities shall be constructed as approved and maintained for the life of the development.

   Reason: To ensure safe and suitable conditions are maintained on the public highway, in the interest of highway safety, and to ensure appropriate waste/refuse facilities are provided for the occupiers of the development.

6. The development hereby permitted shall not be occupied until sheltered, secure and accessible cycle parking has been provided in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The cycle parking facilities shall be implemented as approved and maintained for the life of the development.

   Reason: To promote sustainable travel and healthy communities.

7. The development hereby permitted shall not be brought into use until the parking and turning facilities have been provided as shown on the submitted drawings.

   Reason: To ensure conformity with submitted details.

8. Prior to building works commencing above foundation level, a Biodiversity Enhancement Plan shall be submitted to and approved in writing by the Local Planning Authority. Approved measures shall be implemented in full and maintained thereafter.

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Reason: To improve the biodiversity of the local area in accordance with saved policy EN8 of the Adopted Amber Valley Borough Local Plan 2026.

9. No development shall take place until a Biodiversity Gain Plan has been submitted to and agreed in writing by the Local Planning Authority. The proposed enhancement measures shall be implemented in accordance with the approved details and shall be retained in that manner thereafter.

   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).

10. The development hereby permitted shall be carried out only in accordance with the details and specifications set out in the Arboricultural Survey impact assessment and method statement dated July 2026 received on 28.07.2026.

    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

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order) no development relating to Class A through to E of Part 1 of Schedule 2 (erection of extensions, roof alterations, porches and outbuildings) 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 policies EN15 of the Amber Valley Borough Local Plan 2026.

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Notes
Attention is drawn to the attached notes:

1 In regard to condition 8 The Plan shall clearly show positions, specifications and numbers of features, which will include (but are not limited to) the following:
o 1 x integral universal nest box / swift brick in new dwelling, installed at eaves level, avoiding southern elevations.
o 1 x integral bat brick in new dwelling, installed at eaves level, favouring southern elevations
o fencing gaps (130 mm x 130 mm) in garden fencing to maintain connectivity for hedgehogs
o native or beneficial garden planting

2 Site clearance shall be undertaken in a manner by which to safeguard hedgehogs. All rubble piles, leaf piles, compost heaps, dense vegetation and other general debris that could be used for shelter shall be carefully cleared by hand to a location such as a skip, other container or raised pallets. This shall be undertaken prior to machinery entering site and avoiding the core hibernation period.
(November-February). If a hedgehog is discovered during clearance, it shall be moved immediately and carefully with gloved hands to an area of shelter such as beneath adjacent hedgerow/bushes.

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 Development Low Risk Area - Standing Advice

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Mining Remediation Authority on 0345 762 6846 or if a hazard is encountered on site call the emergency line 0800 288 4242.

Further information is also available on the Mining Remediation Authority website at: Mining Remediation Authority - GOV.UK

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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:

EN1 - Climate Change
SS1 - Presumption in favour of Sustainable
H1 - Within Adjacent to Urban Areas and Key v
EN15 - Quality and Design of Development
EN8 - Biodiversity
EN9 - Biodiversity Gains
EN11 - Derelict, Unstable & Contaminated Land
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.