S Gladwin
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/2026/0468**) which was valid on the 24 July 2026 for permission for **Proposed replacement garage incorporating loft storage and a concealed vehicle lift. Widening of the existing access through partial removal of the boundary wall, reconfiguration of the driveway and landscaping, construction of a timber-framed car port, and construction of a single-storey side extension at Broadoaks Cottage Pentrich Road Pentrich**

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:

   Proposed Site Plan - GP-PR-01A
   Proposed Ground Floor Plan - GP-PR-07A
   Proposed Roof Plan - GP-SP-PR-02A

Date: 14 September 2026

Signed

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Proposed Elevation 01 - GE-PR-01A
Proposed Elevation 02 - GE-PR-02A
Proposed Garage - GE-PR-03A

(Received 01.09.2026)

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. 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

4. The development hereby permitted shall not be brought into use until the access, parking and turning facilities have been provided as shown on drawing GP-PR-01A to the satisfaction of the Local Planning Authority. The parking and turning facilities shall be kept free of encumbrance to their intended purpose for the life of the development.

   Reason: To ensure conformity with submitted details in the interest of highway safety, in accordance with policy IN1; of the Adopted Amber Valley Borough Local Plan 2022 - 2040

5. No part of the development hereby permitted shall be brought into use until the driveway is surfaced in a bound material in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The driveway shall be maintained in the bound material for the life of the development.

   Reason: In the interest of highway safety, in accordance with policy IN1; of the Adopted Amber Valley Borough Local Plan 2022 - 2040

6. Prior to the commencement of the development hereby permitted, details of measures to prevent the unregulated discharge of surface water to the public highway shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the development hereby permitted being brought into use and shall be maintained for the life of the development.

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Reason: To ensure the appropriate specification of on-site access, parking, and turning areas and that surface water from the site is not deposited on the public highway causing danger to road users in the interest of highway safety, in accordance with policy IN1; of the Adopted Amber Valley Borough Local Plan 2022 - 2040

Notes
Attention is drawn to the attached notes:

1 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

2 A hard surfaced footway crossing to serve the full width of the driveway from Pentrich Road is required to be constructed in accordance with the highway authority's specification and made available for use. Please contact DCC Highways for further information at ete.devcontrol@derbyshire.gov.uk

3 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-anddropped-kerbs.aspx or email highways.hub@derbyshire.gov.uk.

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,

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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.

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
H3 - Housing development in countryside
IN1 - Transport
EN8 - Biodiversity
EN11 - Derelict, Unstable & Contaminated Land
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 DM3 of the NPPF.

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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.