**S Gladwin**
**Chief Executive**
**Development Management**

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Ripley
Derbyshire DE5 3BT
Tel: 01773 570222
Email: enquiry@ambervalley.gov.uk
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Mr Khaliq
Langridge Homes Ltd
17-21 Clumber Avenue
Sherwood Rise
Nottingham
NG5 1AG

# 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/2026/0080**) which was valid on the 13 March 2026 for permission for **Variation of condition 2 (plans) of AVA/2006/0404 to substitute the house types identified on the previously approved NMA (AVA/2015/0214). These amendments have become necessary due to evolving market conditions and updates to building regulations at Land At Ashover Close Ashover Close Ripley.**

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 carried out in accordance with the following documents and drawings:

   Site Layout Plan - Drg. No. AC.SLP. 01, Rev. E
   House Type - A3 (AS) - Ground Floor Plan - Drg. No. A3.AS.20
   House Type - A3 (AS) - First Floor Plan - Drg. No. A3.AS.21
   House Type - A3 (AS) - Front Elevation - Drg. No. A3.AS.22
   House Type - A3 (AS) - Side Elevation - Drg. No. A3.AS.23
   House Type - A3 (AS) - Rear Elevation - Drg. No. A3. AS.24
   House Type - A3 (AS) - Side Elevation - Drg. No. A3.AS.25
   House Type - BGA3 (AS) - Ground Floor Plan - Drg. No. A3.AS.02
   House Type - BGA3 (AS) - First Floor Plan - Drg. No. A3.AS.03
   House Type - BGA3 (AS) - Front Elevation - Drg. no. A3.AS.05

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House Type - BGA3 (AS) - Side Elevation - Drg. No. A3.AS.06
House Type - BGA3 (AS) - Rear Elevation - Drg. No. A3.AS.07
House Type - BGA3 (AS) - Side Elevation - Drg. No. A3.AS.08
House Type - KA3 (AS) - Rear Elevation - Drg. No. KA3.AS.24
House Type - KA3 (AS) - Side Elevation - Drg. No. KA3.AS.25
House Type - KA3 (AS) - Ground Floor Plan - Drg. No. KA3.AS.02
House Type - KA3 (AS) - First Floor Plan - Drg. No. KA3.AS.21
House Type - KA3 (AS) - Front Elevation - Drg. No. KA3.AS.22
House Type - KA3 (AS) - Side Elevation - Drg. No. KA3.AS.23
House Type - YS - Ground Floor Plan - Drg. YS.AS.20
House Type - YS - First Floor Plan - Drg. No. YS.AS.21
House Type - YS - Side Elevation - Drg. No. YS.AS.23
House Type - YS - Rear Elevation - Drg. No. YS.AS.24
House Type - YS - Side Elevation - Drg. No. YS.AS.25
House Type - E31 (AS) - Floor Plans - Drg. No. E31.AS.20
House Type - E31 (AS) - Planning Elevations - Drg. No. E31.AS.21
Double Garage - Floor Plan & Elevations - Drg. No. DG 03
House Type - E21 (AS) - First Floor Plan - Drg. No. E21.AS.21
House Type - E21 (AS) - Front Elevation - Drg. no. E21.AS.22
House Type - E21 (AS) - Side Elevation - Drg. No. E21.AS.23
House Type - E21 (AS) - Rear Elevation - Drg. No. E21.AS.24
House Type - E21 (AS) - Side Elevation - Drg. No. E21.AS.25
House Type - E21 (AS) - Ground Floor Plan - Drg. No. E21.AS.21
House Type - T21 (AS) - Ground Floor Plan - Drg. No. T21.AS.20
House Type - T21 (AS) - First Floor Plan - Drg. No. T21.AS.21
House Type - T21 (AS) - Front Elevation - Drg. No. T21.AS.22
House Type - T21 (AS) - Side Elevation - Drg. No. T21.AS.23
House Type - T21 (AS) - Rear Elevation - Drg. No. T21.AS.24
House Type - T21 (AS) - Side Elevation - Drg. No. T21.AS.25
Arboricultural Impact Assessment & Method Statement, prepared by Hamps Valley Ltd Tree Experts, dated May 2026.

**Reason**: In order to define the permission.

2. The development hereby permitted shall be carried out in accordance with the following materials:
Ibstock Rosa Blanco - facing brick; and
Weinerberger Calderdale Edge – Grey - roof tiles - roof tiles.

**Reason**: To ensure the satisfactory appearance of the completed development in accordance with policies EN15 of the Adopted Amber Valley Borough Local Plan (2022-2040).

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3. Existing and proposed land levels and finished floor levels up to and including the boundary and nearest neighbouring properties on the Ashover Close, Stenson Court and Nottingham Road shall be submitted within 6 months of the date of this planning permission.

   **Reason**: To safeguard the character and appearance of the area and amenities of the nearest neighbours in accordance with policy EN15 of the adopted Amber Valley Borough Local Plan (2022-2040).

4. Notwithstanding the submitted information, details of both hard and soft landscaping works shall be submitted to and approved in writing by the Local Planning Authority within 6 months of the date of this planning permission. Hard landscaping detail shall include hard surfacing materials and boundary treatment, and the soft landscaping details shall include existing and proposed hedgerow buffer and trees and show a planting scheme which includes a schedule of plants noting species, plant sizes and proposed numbers/densities, including a tree planting plan to mitigate tree losses stating final specification of species, stock size and aftercare provision. The hard and soft landscaping works shall thereafter be provided before the development is first brought into use. Any plants or trees in the planting scheme that are removed, die or become seriously damaged or diseased within a period of 5 years from the date of planting shall be replaced with others of similar size and species in the next planting season, unless the Local Planning Authority gives written consent to any variations.

   **Reason**: To ensure the satisfactory overall appearance of the completed development and to help assimilate the new development into its surroundings in accordance with policies EN7, EN8 and EN15 of the Adopted Amber Valley Borough Local Plan (2022-2040).

5. Dwellings shall not be occupied until the proposed estate street has been laid out in accordance with the applicant drawings as amended and agreed with the Local Planning Authority so as to conform with the County Council's 'Road in Housing' design guide and constructed at least to base course level including footways, drained and lit in accordance with the County Council's Specification for Housing Development Roads, all in accordance with a scheme first to be submitted to and approved in writing by the Local Planning Authority.

   **Reason**: In the interests of highway safety in accordance with Policy IN1 of the Adopted Amber Valley Borough Local Plan (2022-2040).

6. Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 1995, parking and garage spaces shall not be used for any

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purpose other than parking of vehicles, except with the prior permission of the Local Planning Authority.

**Reason**: In order to secure the provision of satisfactory off street car parking in accordance with Policy IN1 of the Adopted Amber Valley Borough Local Plan (2022-2040).

7. The windows within the side elevations of dwellings on Plots 38, 43 and 47 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).

8. Notwithstanding the provision of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) no development relating to Classes A to E of Part 1 of Schedule 2 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 policy EN15 of the Adopted Amber Valley Borough Local Plan (2022-2040).

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order) no windows (other than those approved by this permission) shall be formed on the elevation(s) of the hereby approved development without the prior written approval of the Local Planning Authority.

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

10. No piling shall occur on the site before a scheme has been submitted to, and approved in writing by the Local Planning Authority, detailing the provisions to be made for the control of noise and vibration. All such activities shall take place only in accordance with the approved scheme.

    **Reason**: In order to safeguard the amenities of nearby residential occupiers in accordance with Policies EN10 and EN15 of the Adopted Amber Valley Borough Local Plan (2022-2040).

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11. All construction activities shall comply with the guidance in British Standard BS5228 Noise and Vibration Control on Construction and Open Sites. Efficient silences shall be fitted to, used and maintained in accordance with the manufactures' instructions on all vehicles, plant and machinery used on the site. Save for the purposes of maintenance, no machinery shall be operated with covers open or removed.

    **Reason**: In order to safeguard the amenities of nearby residential occupiers in accordance with Policy EN10 of the Amber Valley Borough Local Plan (2022-2040).

12. No construction or demolition works, movement of traffic, or deliveries to or from the premises, shall occur other than between 0800 hours and 1800 hours Monday to Fridays, between 0800 hours and 1300 hours on Saturdays and at no time on Sundays or Public Holidays. Any proposed extension to these hours, other than for emergency works, shall be agreed in writing by the Local Planning Authority before work commences.

    **Reason**: In order to safeguard the amenities of nearby residential occupiers in accordance with Policy EN10 of the Adopted Amber Valley Borough Local Plan (2022-2040).

13. During dry and/or windy weather, dust suppression methods, such as water bowsers or hosepipes, shall be used to prevent dust being blown off site. At such times as the prevention of dust nuisance by these meanes is not possible, the movement of vehicles, soils, or dusty materials shall temporarily cease until such time as weather conditions improve.

    **Reason**: In order to safeguard the amount of nearby residential occupiers in accordance with Policy EN10 of the Adopted Amber Valley Borough Local Plan (2022-2040).

14. There shall be no bonfires on site.

    **Reason**: In the interests of safeguarding the amenities of nearby residential occupiers in accordance with Policy EN10 of the Adopted Amber Valley Borough Local Plan (2022-2040).

15. The hedgerow/vegetation as shown on the approved plans to be retained (Drg. No. AC.SLP. 01, Rev. E) shall be retained in perpetuity in accordance with details to be submitted in accordance with Condition 4 (see above).

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**Reason**: To ensure the satisfactory overall appearance of the completed development and to help assimilate the new development into its surroundings in accordance with policies EN7, EN8 and EN15 of the Adopted Amber Valley Borough Local Plan (2022-2040).

16. Any vegetation clearance in association with the development shall take place outside the bird breeding season which is between March and September. Should it be necessary to undertake such works within the bird breeding season no works shall be undertaken before a breeding bird survey has been undertaken, which shall be submitted to and agreed in writing by the Local Planning Authority. If any active birds nests are found work shall be postponed until a young have fledged the nest.

    **Reason**: In order to protect any breeding birds in accordance with Policy EN8 of the Amber Valley Borough Local Plan (2022-2040).

**Notes**

**Attention is drawn to the attached notes:**

**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
SS2 - Spatial Strategy for Housing and
H1 - Within Adjacent to Urban Areas and Key v
H4 - Housing Types, Mix & Choice
EN1 - Climate Change
EN3 - Flood Risk
EN7 - Landscape Character & Features
EN8 - Biodiversity
EN15 - Quality and Design of Development
EN10 - Pollution
IN1 - Transport

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**In detail:**

In accordance with the principles of Policy S3 of the NPPF (August 2026), the Local Planning Authority has approached the decision-making process in a positive and proactive manner to support the delivery of sustainable development. The Authority has worked constructively with the applicant and/or agent throughout the application process with the objective of securing a development that would deliver economic, social and environmental benefits.

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 and highway.

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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.**