S Gladwin
Chief Executive
Development Management

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TOWN AND COUNTRY PLANNING ACT 1990

(PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) 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/2026/0250**) which was valid on the 21 April 2026 for permission for **Listed building consent for the installation of internal stud wall, boiler and externally mounted flue at The Dye House Milford Mill Derby Road**

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 works for which this consent is granted shall be begun before the expiration of three years from the date of this consent.

   Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall be carried out in accordance with the details contained in the submitted plans and documents listed below:

   Lighting & Electrical Layout - Dwg. No. 1141-03, Rev. B
   Internal Elevations - Dwg. No. 1141-D09, Rev. C
   Plans and Elevations Proposed - Dwg. No. 1807-103, Rev. P4
   Proposed Plan - Dwg. No. 1141-02, Rev. F
   Location Plan dated 17-Apr-2026.

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Reason: In order to define the permission.

Notes
Attention is drawn to the attached notes:

1 For the avoidance of doubt, it remains the responsibility of the applicant to ensure that the development is carried out in accordance with the approved plans and all requirements attached to the extant planning permission, matters which are not covered by this Listed Building Consent. The grant of Listed Building Consent does not remove the need to comply with any planning conditions or to obtain any further permissions, approvals or consents that may be required. It is the applicant's responsibility to determine whether any proposed changes constitute a material amendment or otherwise require planning permission, and to seek the necessary consents where appropriate. The Council accepts no liability for any unauthorised works undertaken as a result of changes made without first obtaining the required approvals.

2 The Applicant/Developer is required to note the following advice from AVBC Environmental Health team:

You will be required to register the premises for the purpose of food safety, and you are required to register as such with this Unit. You must complete this online at https://www.ambervalley.gov.uk/business/food-safety/registering-a-new-business/ at least 28 days prior to opening the premises. Please note that this registration is separate to advising Business Rates. Once you have registered you will be contacted by this Unit with further information to get ready for your food hygiene inspection.
In addition, I outline below general matters to be considered when starting a food business operation:

1. The kitchen or food preparation area must be provided with:
(a) Adequate facilities for the cleaning, disinfecting and storage of working utensils and equipment. For example, by the provision of a double sink with a supply of both hot and cold water to allow washing and rinsing.
(b) Adequate provision must also be made where necessary for washing of food. Every sink, or other facility provided for washing of food is to have an adequate supply of hot and or cold potable water and is to be kept clean and where necessary disinfected.
(c) Adequate smooth, impervious and easily cleansable worktops.
(d) An adequate number of wash hand basins with a supply of hot and cold water and adequate drainage for the personal hygiene of food handlers. It is recommended that a mixer tap be provided on hand washbasins or Thermostatic Valves fitted to the hot water supply to the hot tap so that water temperature facilitates hygienic hand washing.

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(e) Adequate mechanical or natural ventilation. Appropriate ventilation must be provided in the kitchen and is likely to be extracted to the outside.
For outside the kitchen - The aim of any kitchen ventilation/extraction system is to ensure that no nuisance or loss of amenity is caused by cooking odour/fumes, or noise associated with the system, at nearby properties, and it is the nature and quantity of cooking proposed that determines the system needed to achieve this. Designing and installing appropriate systems may involve considerable expense, so this should be done by a competent and reputable ventilation engineer with experience and knowledge of odour and grease control systems;
ideally, you should ask for references from previous customers.
Non-domestic kitchen extraction/ventilation systems should be risk-assessed and designed in accordance with EMAQ's best practice document: 'Control of odour and noise from commercial kitchen exhaust systems.
Mechanical or natural ventilation requirements inside the kitchen:
When determining what extraction rate and ventilation provision is needed or to provide you should have regard to the following guidance: - Building Regulations Approved Document - F1 - Refer to Catering (inc commercial kitchens); HSE catering Information Sheet No 10; CIBSE Guide B2:2001 section 3.24.2; Workplace (Health, Safety, Welfare) Regulations 1992. Your ventilation system is expected to include the following features.
A canopy of adequate size over the cooking equipment;
Extraction rate suitable for the type of cooking and equipment to be used in the kitchen.
Removable grease filters which are either washable or disposable;
Ducting to convey cooking fumes to a suitable point at main roof ridge level or above proper dispersal, preventing an odour nuisance;
Adequate, permanent make up air facilitate which are fly proofed and suitable sited to allow the efficient circulation of air in the kitchen;
Sufficient access points to enable the periodic cleaning of the system.
(f) The floor covering must be durable, impervious and non-slip and properly sealed at edges and joints. It is recommended that the junction between the walls and floor must be coved, to facilitate thorough cleaning.
(g) In rooms where foodstuffs are prepared, treated or processed the walls must be provided with a smooth, non-absorbent, washable finish. This washable / readily cleansable surface must extend above work tops and behind washing facilities and equipment to a height that facilitates good hygiene practices, usually 1.80m from the floor in these areas.
Above this height and elsewhere in the premises, a good quality, light coloured, washable painted finish would be acceptable.

2. Adequate toilets must be provided in accordance with British Standard 'BS 6465 -1 :2006' (together with any requirements imposed by the Planning Department). Amber Valley Borough Council has Guidance on what numbers of Sanitary Conveniences are

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to be provided which gives additional information to those number of toilets required for small premises. See the Amber Valley Borough Council website for the full policy. https://www.ambervalley.gov.uk/business/food-safety/sanitary-convenience-provision/

3. Food Hygiene Training. Food business operators must ensure that food handlers engaged in the food business are supervised and instructed and / or trained in food hygiene matters commensurate with their work activities. Staff handling open food are usually required to have at least Basic Food Hygiene Knowledge which is Level 2. If your business involves manufacturing or using complex processes a level 3 may be required.

4. Food Safety Management System. A food business operator is required to show that there is a food safety management system in place. Ensure that you have your food safety management system up and working from day one you are open. Contact me for further information or for a basic Food Safety Management system look online for the Safer Food Better Business Pack on the Food Standards Agency website https://www.food.gov.uk/business-guidance/saferfood-better-business .

5. Management of Health and Safety / Safety Policy - small business guidance You are responsible as a business owner for the health and safety and wellbeing of your staff and customers.

Complying with health and safety law can appear daunting, especially for small businesses that may not have designated expertise in-house. The 'Safer Workplace, Better Business pack' (SWBB) aims to help small businesses comply with legal requirements.

The pack aims to ensure that small businesses comply with requirements of current Health and Safety standards. Each section explains the employers duties, the actions required, and allows the employer to document policies, controls and procedures they implement within their business. Once completed the pack will enable business to identify key hazards in their workplace, introduce suitable control measures and be a documented system available for inspection by enforcement officers. For larger businesses more detailed assessments may be required than this pack - please contact me if you have queries over the documentation required by your business.

The pack can be downloaded from the website http://www.torbay.gov.uk. or you can buy a printed copy for £15 from this department.

You need to familiarise yourself with your legal obligations in relation to health and safety at your business, so I strongly recommend you look at and work through the pack as a starting point or look on the HSE website www.hse.gov.uk for further information.

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6. Replacement of Premises Signage - Prevention of failure (For Note/Information). Over the past few years there have been a number of serious and fatal injuries to employees and members of the public from the failure of signage.

Employers have a duty to maintain a place of work under their control in a condition that is safe and without risks to health and safety. Any external signage is included in the duty.
You are reminded that in replacing a shop sign you need to ensure that future inspection and maintenance of the sign in accordance with the sign maker / installers instructions is part of your ongoing controls. If no recommendations from the sign maker / installer are provided, you must ensure appropriate inspection and maintenance is carried out in accordance with your own planned inspection and maintenance schedules.

You are advised to ensure you know the service life of the sign covering both the sign itself and the fitting of it. See British Standard 559:2023 for further detail. You are advised to obtain details of the service life, fitter / sign provider and details of maintenance in writing from your sign maker for further reference and to document your inspection / maintenance checks.

Further information
The Food Standards Agency has lots of information on food safety and starting up a food business.
See www.food.gov.uk. For additional Health and Safety information see the Health and Safety Executive website www.hse.gov.uk.

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;

EN4 - Heritage Assets

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In detail:

The National Planning Policy Framework (NPPF) is a material consideration in planning decisions. In accordance with Policy DM3 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 and Grade II Listed building.

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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.