S Gladwin
Chief Executive
Development Management

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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/2026/0402**) which was valid on the 10 July 2026 for permission for **Retention of use Class E on the ground floor and change the use of the first floor from Class E to 3 self-contained apartments for use as short term holiday lets (Sui Generis) at Boots 24 Market Place Heanor**

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 first-floor apartments shall be used solely as short-term holiday accommodation (Sui Generis) and shall not be occupied as a person's sole or main place of residence. No individual guest, visitor or occupier shall occupy any apartment for a period exceeding 28 consecutive days, or for more than 28 days in total within any 12-month period. A register of all occupiers, including the dates of arrival and departure, shall be maintained and made available to the Local Planning Authority upon request.

Date: 8 October 2026

Signed S Gladwin

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Reason: To ensure that the accommodation remains available for short-term holiday letting and does not become permanent residential accommodation, having regard to the approved nature of the development and the relevant Policy EN15 of the Adopted Amber Valley Borough Local Plan 2022-2040.

3. The development shall be carried out in accordance with the following approved documents and drawings:
Site Location Plan - Dwg. No. 25.07.05, dated 06.07.26
Block Plan - Dwg. No. 25.07.04
Floor Plans as Proposed - Dwg. No. 25.07.02, Rev. D
External Elevations as Existing and as Proposed - Dwg. No. 25.07.03

   Reason: In order to define the permission.

4. No part of the development hereby permitted shall be brought into use until provision has been made within the site for secure, covered cycle parking and secure cycle equipment in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The approved facilities shall not thereafter be used for any other purpose and shall be maintained for the life of the development.

   Reason: In the interest of highway safety and furthering travel by sustainable modes; to promote sustainable travel in accordance with Policy IN1 of the Adopted Amber Valley Borough Local Plan 2022-2040.

Date: 8 October 2026

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Notes
Attention is drawn to the attached notes:

1 Please note the following advice from Amber Valley Borough Council's Environmental Health:

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 your risk assessment for the premises should include external signage and fixings. When replacing or repairing a premises/shop sign you need to ensure that future inspection and maintenance of the sign is in accordance with the sign maker / installers instructions and is part of your ongoing controls for the building. 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 confirm the service life of the sign or fixings with the installer / provider. This should cover both the sign itself and the fitting of it.

You are advised to confirm the details of the service life, fitter and sign provider together with details of maintenance in writing from your provider for your records. It is also recommended that you document your inspection / maintenance checks. See British Standard 559:2023 for further detail on sign design and installation.

2 The applicant/developer is reminded that the installation of new signage may require separate Advertisement Consent under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007. It remains the responsibility of the applicant/developer to ascertain whether such consent is required and, where necessary, to obtain the relevant approval before the advertisement is displayed.

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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
SS2 - Spatial Strategy for Housing and
SS3 - Settlement Hierarchy
EN10 - Pollution
EN4 - Heritage Assets
EN15 - Quality and Design of Development
IN1 - Transport

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, amenity, character, design, heritage and highway.

Date: 8 October 2026

Signed

Simon Gladwin
Chief Executive

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.