Simon Gladwin
Executive Director (Operations)
Development Management

Town Hall
Ripley
Derbyshire DE5 3BT
Tel: 01773 570222
Email: enquiry@ambervalley.gov.uk
Web: www.ambervalley.gov.uk

Mrs Charlotte Nwali
Harron Homes North Midlands
Floors 1& 2
No 2 Midland Way
S43 4XA

Our Ref : AVA/2026/0532
Your Ref :
Date : 2 November 2026
Ask For : Alfia Cox
Direct Dial :
Email : alfia.cox@ambervalley.gov.uk

Dear Mrs Charlotte Nwali

Proposal	**Non material amendments to Conditions 1,2, 3, 4, 5, 8, 20 and 22 of planning permission AVA/2025/0177 to take account of limited replan and introduction of the updated house types to reconfigure house types within the R3 parcel**
Location	**American Adventure Theme Park Pit Lane Shipley Heanor Derbyshire**
Applicant	**Mrs Charlotte Nwali**
Agent	

Thank you for your application, which was received and registered as valid on 21 August 2026.

In pursuance of their powers under the Town and Country Planning Act 1990 and Town and Country Planning Development Management Procedure Order 2015 as amended, Amber Valley Borough Council, as Local Planning Authority, hereby **APPROVES** a Non-Material Amendment for the development as described in your application and on the plans and drawings attached thereto.

The consent is subject to compliance with the following conditions:

1. In accordance with the provision of Section 96A of the Town and Country Planning Act 1990 (as amended), condition 1 as written on the decision notice (issued by the Amber Valley Borough Council on 21 August 2025 under reference No. AVA/2025/0177) for the following wording:

Condition 1 - *The development hereby permitted shall be carried out only in accordance with the details and specifications shown on the following drawings unless otherwise required by another condition of this permission:*

Replan Site Layout - Dwg. No. 348-RP-021
Site Layout Plot R3 - Dwg. No. 348-RP-004, Rev. C
External Materials Plot R3 - Dwg. No. 348-RP-010, Rev A

Materials Layout Plot R3 - Dwg. No. 348-RP-009, Rev A
Contemporary Double Garage - Dwg. No. C-G2-PD
Contemporary Langford (Plans) - Dwg. No. C-LG-PD1
Contemporary Langford (Elevations) - C-LG-PD2
The Banbury - Planning Plan - Dwg. No. PL-BN-31, Rev: B
The Banbury - Planning Elevations - Dwg. No. PL-BN-32, Rev: A
The Bourton - Planning - Dwg. No. PL-BT-31, Rev: B
The Bourton -Elevations - Dwg. No. PL-BT-32
The Empingham - Plans - Dwg. No. PL-EM-31, Rev: A
The Empingham - Elevations - Dwg. No. PL-EM-32
The Newbury - Plans - Dwg. No. PL-NW-31, Rev: A
The Newbury - Elevations - Dwg. No. PL-NW-32, Rev: A
The Tollesbury - Plans - Dwg. No. PL-TS-31
The Tollesbury - Elevations - Dwg. No. PL-TS-32
Modern Style Banbury (Plans) - Dwg. No. M-BN-PD1
Modern Style Banbury (Elevations) - Dwg. No. M-BN-PD2
Modern Style Bloomsbury (Plans) - Dwg. No. M-BO-PD1
Modern Style Bloomsbury (Elevations) - Dwg. No. M-BO-PD2
Modern Style Bourton - Dwg. No. M-BT-PD
Modern Style Bayford (Plans) - Dwg. No. M-BY-PD1
Modern Style Bayford (Elevations) - Dwg. No. M-BY-PD2
Modern Style Empingham (Plans) - Dwg. No. M-EM-PD1
Modern Style Empingham (Elevations) - Dwg. No. M-EM-PD2
Modern Double Garage - Dwg. No. M-G2-PD
Modern Style Langford (Plans) - Dwg. No. M-LG-PD1
Modern Style Langford (Elevations) - Dwg. No. M-LG-PD2
Modern Style Moreton - Dwg. No. M-MR-PD
Modern Style Newbury (Plans) - Dwg. No. M-NW-PD1
Modern Style Newbury (Elevations) - Dwg. No. M-NW-PD2
Modern Style Oakham - Dwg. No. M-OA-PD
Modern Style Shelford - Dwg. No. M-SF-PD
Modern Style Tilbury (Plans) - Dwg. No. M-TL-PD1
Modern Style Tilbury (Elevations) - Dwg. No. M-TL-PD2
Modern Style Tollesbury (Plans) - Dwg. No. M-TS-PD1
Modern Style Tollesbury (Elevations) - Dwg. No. M-TS-PD2
348_001_Rev N Site Layout
348_002_Rev E R1 Site Layout
348_003_Rev KR2 Site Layout
348_005_Rev H R1 Materials Plan
348_006_Rev FR1 External Materials Plan
348_007_Rev J R2 Materials Plan
348_008_Rev HR2 External Materials Plan
9283-L-01 Rev D on Plot Landscape Proposals
9283-L-02 Rev D on Plot Landscape Proposals
348-501-Rev A R1 Proposed Floor Levels
348-502-Rev A R2 Proposed Floor Levels
348-RP-030 Proposed Floor Levels
348_C-AD-PD, Rev. B Contemporary Style Alderton
348_C-BB-PD Rev A Contemporary Style Baybridge
348_C-BH-PD1 Contemporary Style Berkhamsted Plans

348_C-BH-PD2 Rev A Contemporary Style Berkhamsted
348_C-BW-PD Rev B Contemporary Style Birkwith
348_C-DU-PD1 Contemporary Style Dunstanburgh Plans
348_C-DU-PD2 Rev A Contemporary Style Dunstanburgh
348_C-ED-PD1 Rev A Contemporary Style Edlingham Plans
348_C-ED-PD2 Rev A Contemporary Style Edlingham
348_C-HH-PD1 Contemporary Style Hedingham Plans
348_C-HH-PD2 Rev A Contemporary Style Hedingham
348_C-KE-EW-PD1 Contemporary Style Kenilworth + Extra Windows Plans
348_C-KE-EW-PD2 Rev A Contemporary Style Kenilworth + Extra Windows
348_C-ND1-PD Rev B Contemporary Style Nidderdale +Extra Windows
348_C-ND-PD Rev B Contemporary Style Nidderdale
348_C-SAv1-PD- Rev A Contemporary Style Salcombe V1
348_C-SEv1-PD Rev A Contemporary Style Settle V1
348__C-TO-PD Rev A Contemporary Style Tonbridge
348_C-TO1-PD Rev A Contemporary Style Tonbridge + Extra Windows
348_C-WD-PD Rev A Contemporary Style Windsor
348_C-WW-PD1 Rev A Contemporary Style Warkworth Plans
348_C-WW-PD2 Rev A Contemporary Style Warkworth
C-LG-PD1 The Langford Plans
C-LG-PD2 The Langford - Elevations
PL-BN-31 The Banbury - Plans _RevB
PL-BN-32 The Banbury - Elevations_ RevA
PL-BT-31 The Bourton - Plans_RevB
PL-BT-32 The Bourton - Elevations
PL-EM-31 The Empingham - Plans _RevA
PL-EM-32 The Empingham - Elevations
PL-NW-31 The Newbury Plans Rev A
PL-NW-32 The Newbury - Elevations Rev A
PL-TS-31 The Tollesbury - Plans
PL-TS-32 The Tollesbury - Elevations
PL-348-THI-CONT - The Thirlmere - Contemporary Plans & Elevations
PL-348-THI-MOD - The Thirlmere - Modern Plans & Elevations
348_M_AD_PD Rev A Modern Style Alderton
348_M_BA_PD2 Rev A Modern Style Bamburgh
348_M_BB_PD Rev A Modern Style Baybridge
348_M_BB_R_PD Rev A Modern Style Baybridge Render
348_M_BH_PD1 Rev A Modern Style Berkhamsted Elevs
348_M_BH_PD2 Modern Style Berkhamsted Plans
348_M_BW_PD Rev A Modern Style Birkwith
348_M_BW_EW_PD Rev A Modern Style Birkwith + Extra Windows
348_M_DU_PD1 Modern Style Dunstanburgh Plans
348_M_DU_PD2 Rev A Modern Style Dunstanburgh Elevs
348_M_ED_PD1 Modern Style Edlingham Plans
348_M_ED_PD3 Rev A Modern Style Edlingham Elevs
348_M_EDR_PD2 Rev A Modern Style Edlingham Render
348_M_HA_PD Rev A Modern Style Hadleigh
348_M_HH_PD1 Modern Style Hedingham Plans
348_M_HH_PD2 Rev A Modern Style Hedingham Elevs
348_M_KE_PD1 Modern Style Kenilworth Plans

348_M_KE_PD2 Rev A Modern Style Kenilworth Elevs
348_M_ND_PD Rev A Modern Style Nidderdale
348_M_ND_EW_PD Rev A Modern Style Nidderdale + Extra Windows
348_M_ND_EW_R_PD Rev A Modern Style Nidderdale + Extra Windows + Render
348_M_PO_PD1 Modern Style Porchester Plans
348_M_PO_PD2 Rev A Modern Style Porchester Elevs
348_M_SAv0_PD Rev A Modern Style Salcombe V0
348_M_SAv1_PD1 Rev A Modern Style Salcombe V1 Elevs
348_M_SAv1_PD2 Modern Style Salcombe V1 Plans
348_M_SAv1_R_PD1 Rev A Modern Style Salcombe V1 Render
348_M_SEv0_ PD1 Modern Style Settle V0 Plans
348_M_SEv0_ PD2 Rev A Modern Style Settle V0 Elevs
348_M_SEv1_ PD1 Rev A Modern Style Settle V1 Elevs
348_M_SEv1_ R_PD1 Rev A Modern Style Settle V1 + Render Elevs
348_M_SEv1_PD2 Modern Style Settle V1 Plans
348_M_TO_PD Rev A Modern Style Tonbridge
348_M_TO_EW_PD Rev A Modern Style Tonbridge + Extra Window
348_M_WD_PD Rev A Modern Style Windsor
348_M_WD_R_PD Rev A Modern Style Windsor + Render
348_M_WW_PD1 Modern Style Warkworth Plans
348_M_WW_PD2 Rev A Modern Style Warkworth Elevs
348_M_WW_R_PD2 Rev A Modern Style Warkworth + Render Elevs
348_M_WW_EW_PD1 Modern Style Warkworth Plans
348_M_WW_EW_PD2 Rev A Modern Style Warkworth + Extra Window Elevs
348_M_BN_PD1
348_M_BN_PD2
348_M_BO_PD1
348_M_BT_PD
348_M_BY_PD1
348_M_BY_PD2
348_M_EM_PD1
348_M_EM_PD2
348_M_G2_PD
348_M_LG_PD1
348_M_LG_PD2
348_M_MR_PD
348_M_NW_PD1
348_M_NW_PD2
348_M_OA_PD
348_M_SF_PD
348_M_TL_PD1
348_M_TL_PD2
348_M_TS_PD1
348_M_TS_PD2
M_G1_PD Modern Style Garage
C_G1_PD Contemporary Style Garage

***Condition 2** - Notwithstanding the Materials Layout Plans submitted prior to any of the works on the external appearance of the hereby approved dwellings samples of the*

materials and finishes to be used in the construction of the external surfaces shall be submitted to and approved in writing by the Local Planning Authority.
The development shall be carried out in accordance with the materials and finishes as shown on the approved drawings 348_005_Rev H R1 MATS; 348_007_Rev J R2 Materials Plan; and Materials Layout - Dwg. No. 348-RP-009, Rev. and maintained as such in perpetuity.

***Condition 3** - Prior to any building hereby permitted being occupied/brought into use, the boundary treatment for that building(s) shall be installed and completed in accordance with the specified details on the 348-RP-021_Rev-Replan Site Layout Red Line Plan_AOL and the External Materials Plot R1 348-006 Rev F, External materials Plot R2 348-008 Rev H and External Materials Plan Plot R3 348-RP-010 Rev A and maintained as such in perpetuity.*

***Condition 4 -** The dwellings shall be constructed in accordance with the finished floor level drawings 348-501-Rev A R1 Proposed Floor Levels, 348-502-Rev AR2 Proposed Floor Levels and 348-RP-030 Proposed Floor Levels.*

***Condition 5 -** Before the end of the first planting season following occupation/first use of any part of the development hereby permitted all soft landscaping shall be carried out and completed in accordance with the approved soft landscaping details as shown on drawings Plot R1 Landscape Proposals (Sheet 1 of 2) - 9283-L-101, Rev. B; Plot R1 Landscape Proposals - 9283-L-102, Rev. B; Plot R2 Landscape Proposals (Sheet 1 of 5) - 9283-L-103, Rev B; Plot R2 Landscape Proposals (Sheet 2 of 5) - 9283-L-104, Rev. B; Plot R2 Landscape Proposals - 9283-L-105, Rev. B; Plot R2 Landscape Proposals - 9283-L-106, Rev. B; Plot R2 Landscape Proposals (Sheet 5 of 5) - 9283-L-107, Rev. B; Landscape Proposals - Sheet 1 of 3 - 9283-L-108 Rev C, Landscape Proposals (Sheet 2 of 3) - 9283-L-109, Rev. C; Landscape Proposals (Sheet 3 of 3) - 9283-L-110, rev. D.*

Any trees or plants which within a period of five years from the completion of the development die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

***Condition 8** - The bird and bat boxes specification and locations (as set out on the 'R1 Materials Plan - Drg. No. 348-005, Rev. H' and 'R2 Materials Plan - Drg. 348-007, Rev. J' and 'Materials Layout - Drg No. 348-RP-009 Rev A') shall be implemented in full and maintained as such in perpetuity throughout the life of the development.*

***Condition 20** - No part of the development served by a 'shared private drive' shall be occupied until details of arrangements for temporary storage of bins on collection days, located within close proximity to the proposed adopted highway, have been carried out in accordance with the agreed details and the facilities retained for the designated purposes at all times thereafter in accordance with drawings 348_002_Rev E R1 Site Layout, 348_003_Rev K R2 Site Layout, Site Layout -348-RP-004 Rev C.*

***Condition 22** - Prior to first occupation of any dwelling, the dwellings hereby approved shall have provision for electric vehicle charging in accordance with drawings No. 348_005_Rev H R1_MATERIALS-R1 MATS, 348_007_Rev J MATERIALS-R2 MATS,*

Materials Layout - Dwg. No. 348-RP-009 Rev A. Once provided the charging points shall be retained thereafter.

The reasons for imposition of these revised conditions remain as stated on the decision notice.

It is considered that, subject to compliance with the additional conditions attached to this permission, the development would be in accordance with the development plan and would not materially impact the character and appearance of the area or the amenity currently enjoyed by neighbouring occupiers and would be acceptable in terms of highway safety.

Please note that the original permission still stands and should be read in conjunction with the decision letter on this application.

I trust this information is of use.

Yours sincerely

S Gladwin

Simon Gladwin
Director of Operations
Authorised Officer of the Council

Attention is drawn to the attached notes.

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 12 weeks (for householder appeals) or six months (for other applications). Appeals against non-determination must be made within six months of the end of the determination period (i.e. 8/13/16 weeks). 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.