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/2026/0509**) which was valid on the 5 August 2026 for permission for **Variation of condition 2 of AVA/2022/0215 to amend approved plans in order to meet building regulation requirements at Michael House School The Field Shipley**

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 15.05.2025

   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 hereby approved development shall be carried out in accordance with the following approved documents and drawings:

   Application Form
   Site Location Plan
   Block Plan

   AS PROPOSED DRAWING Nos.

Date: 3 November 2026

Signed S Gladwin

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SSA.2020.069-016a
SSA.2020.069-017a
SSA.2020.069-018a
SSA.2020.069-019
SSA.2020.069-020
SSA.2020.069-21

MOBILE CLASSROOM DRAWING Nos.
SSA.2020.069-024

SITE PLANS DRAWING Nos.
SSA.2020.069-008b
SSA.2020.069-009a
SSA.2020.069-022b
SSA.2020.069-023b

As approved on 15.05.2022

MHS-ARC-GA-A00-D-A-3501 - Ground Floor Plan Rev PO2,
MHS-ARC-GA-A01-D-A-3502 - First Floor Plan Rev PO2,
MHS-ARC-GA-A02-D-A-3503 - Second Floor Plan Rev PO2,
MHS-ARC-GA-AZZ-D-A-3601 - Proposed Elevations Sheet 1 Rev PO2,
MHS-ARC-GA-AZZ-D-A-3602 - Proposed Elevations Sheet 2 Rev PO2,
MHS-ARC-Stage 4 Compliance Report_P2 dated 03/08/2026

Received on 04.08.2026

Reason: To define the terms of this permission and for the avoidance of doubt

3. The Development hereby approved shall not be occupied until the access, parking and turning facilities have been provided as shown on drawing SSA.2020.069-008A.

   Reason: To ensure conformity with submitted details and in accordance with policy IN1 of the Amber Valley Borough Local Plan 2022-2040

4. Other than for the demolition of the demountable classroom, no other development hereby permitted shall commence on the site prior to the submission to, and approval in writing by, the Local Planning Authority of a construction management plan. The approved plan shall be adhered to throughout the remainder of the construction period.

Date: 3 November 2026

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Reason: In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development.

5. Other than for the demolition of the demountable classroom, no other development hereby permitted shall commence until;

   a) a scheme of further intrusive investigations has been carried out on site to establish the risks posed to the development by past coal mining activity, and;
   b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is safe and stable for the development proposed.

   The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

   Reason: To ensure the development is mitigated against Coal Mining Risk in accordance with policy EN11 of the Amber Valley Borough Local Plan 2022-2040

6. Prior to the occupation of the development, or it being taken into use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

   Reason: To ensure the development is mitigated against Coal Mining Risk in accordance with policy EN11 of the Amber Valley Borough Local Plan 2022-2040.

7. Other than demolition works, no other development shall commence on the site until further details of surface and foul water drainage arrangements have been submitted to and been approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and the development shall not be occupied before the approved drainage details have been provided or else they have been provided in accordance with any variations to them that have otherwise been approved in writing by the Local Planning Authority.

   Reason: To ensure an acceptable foul and surface water drainage solution is provided to serve the proposed development.

8. The development shall be carried out in accordance with the bat mitigation and compensation measures outlined in section 6 Bat Mitigation Strategy of the Bat Survey

Date: 3 November 2026 Signed

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Update 2021 report prepared by BJ Collins dated January 2022. unless varied by a European Protected Species licence subsequently issued by Natural England, a copy of which shall be submitted to the Local planning Authority. The agreed features for roosting bats shall be permanently installed in accordance with the approved details.

Reason: In the interest of ecology in accordance with policy EN8 of the Amber Valley Borough Local Plan 2022-2040

9. The development shall be carried out in strict accordance with the mitigation measures outlined in section 5 Conclusion and Recommendations of the 2021 and 2022 Badger Surveys report prepared by BJ Collins dated January 2022

Reason: In the interest of ecology in accordance with policy EN8 of the Amber Valley Borough Local Plan 2022-2040

10. The development shall be carried out in accordance with the approved scheme and accompanying timetable for the creation and provision of suitable alternative nesting sites for house martins.

Reason: In the interest of ecology in accordance with policy EN8 of the Amber Valley Borough Local Plan 2022-2040

11. Other than for the demolition of the demountable classroom, no development shall take place until a Written Scheme of Investigation for historic building recording has been submitted to and approved by the local planning authority in writing, until all on-site elements of the approved scheme have been completed to the written satisfaction of the local planning authority, and until the provision to be made for analysis, reporting, publication and dissemination of the results and archive deposition has been secured.

Reason: In the interest of archaeology in accordance with policy EN6 of the Amber Valley Borough Local Plan 2022-2040

12. a) Other than for the demolition of the demountable classroom, no development shall take place until a Written Scheme of Investigation for archaeological monitoring has been submitted to and approved by the Local Planning Authority in writing.

b) Other than for the demolition of the demountable classroom, no development shall take place other than in accordance with the archaeological Written Scheme of Investigation approved under condition (a).

Date: 3 November 2026 Signed

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c) Within a period of 12 weeks from completion of the development the archaeological site investigation and post investigation analysis and reporting shall have been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (a) and the provision to be made for publication and dissemination of results and archive deposition shall have been secured.

Reason: In the interest of archaeology in accordance with policy EN6 of the Amber Valley Borough Local Plan 2022-2040

13. a) Other than for the demolition of the demountable classroom, no development shall commence until:
i. The approved development site has been subjected to a detailed investigation to determine the extent, scale and nature of any contamination and an assessment of the potential risks (the "Assessment") has been carried out.
ii. A report providing the details of the site investigation and the Assessment been submitted and approved in writing by the Local Planning Authority.
iii. A Remediation Method Statement (the "RMS") to address any remediation required by the Assessment including a plan for how the remediation methods will be verified, has been submitted and approved in writing by the Local Planning Authority.
b) The development shall be undertaken in strict compliance with the requirements contained within the approved RMS. Any proposed revisions to the RMS must be submitted and approved in writing by the Local Planning Authority prior to any changes in remediation methods.
c) If during development works, any contamination is encountered which was not previously identified and is derived from a different source and/or of a different type to those already identified, then no further works shall take place until a revised RMS is submitted to and
approved in writing by the Local Planning Authority and the works shall then be carried out in accordance with the revised RMS.
d) If during development work, site contamination is found in areas previously expected to be uncontaminated, then the remediation of those areas shall be carried out in accordance with the approved RMS.
e) No building shall be occupied unless and until a Verification Report in accordance with the RMS has been submitted to and approved in writing by the Local Planning Authority.
f) All investigations, assessments and reports must be carried out by a suitably qualified competent person previously agreed in writing by the Local Planning Authority and in accordance with the Environment Agency publication Land contamination: risk management
(LCRM).

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Reason: The undertaking of a site investigation prior to the commencement of development is necessary to ensure that adequate information pertaining to risks arising from land contamination is available to inform an assessment that the site is either suitable for its proposed use or appropriate remedial measures could make the site suitable for its proposed use. In order to ensure the safety of the development, in accordance with paragraphs 183 and 184 of the National Planning Policy Framework.

14. Other than for the demolition of the demountable classroom, no other development hereby permitted shall commence on the site prior to the submission to, and approval in writing by, the Local Planning Authority of full details of replacement tree planting. This shall include an up-to-date Arboricultural Impact Assessment; tree protection plans and appropriate method statements (as per section 5 & 6 of BS5837:2012). The agreed scheme shall be implemented in full in the first available planting season following completion of the development or within 1 year of occupation whichever is the sooner.

    Reason: In the interest of retaining and protecting trees in accordance with policy EN8 of the Amber Valley Borough Local Plan 2022-2040

15. Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 2015 (or any other revoking and re-enacting that Order) no development relating to Class A, B, C, D or E of Part 1 of Schedule 2 (erection of extensions; alterations to the roof; buildings incidental to the enjoyment of the dwelling house; the insertion, enlargement, improvement or replacement of windows or doors; erection or construction of a porch) or development relating to Class A of Part 2 of Schedule 2 (erection of walls, fences, enclosures) 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 Amber Valley Borough Local Plan 2022-2040

16. Other than for the demolition of the demountable classroom, no other development shall take place above ground level until there has been submitted to and approved in writing by the Local Planning Authority details and/or samples of the materials and finishes to be used for the external elevations and roof of the proposal, and the development shall be carried out with those materials.

    Reason: To ensure the satisfactory appearance of the completed development in accordance with policy EN15 of the Amber Valley Borough Local Plan 2022-2040

Date: 3 November 2026 Signed

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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:

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In detail:

The National Planning Policy Framework (NPPF) is a material consideration in planning decisions. In accordance with DM3 of the NPPF.

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 or heritage features and highway safety.

Date: 3 November 2026

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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.