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/2026/0043**) which was valid on the 27 January 2026 for permission for **Erection of an agricultural building at Land Off Old Lane Old Lane Idridgehay**

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 development hereby permitted shall be carried out only in accordance with the details and specifications shown on documents:

   Site Location Plan - 04001 P3 (Received 17.08.2026)
   Site Plan as Proposed - 04003 P3 (Received 17.08.2026)
   Plans and Elevations as Proposed - 04004 P1 (Received 02.03.2026)
   BNG Plan as Proposed - 04005 P3 (Received 17.08.2026)

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Reason: To ensure that the development takes the form envisaged by the Local Planning Authority when determining the application in accordance with policies SS9, EN9 and EN15; of the Adopted Amber Valley Borough Local Plan 2022 - 2040.

3. Prior to the commencement of development, a Habitat Management and Monitoring Plan (HMMP) shall be submitted to and agreed in writing by the Local Planning Authority. The (HMMP) shall identify habitats to be retained, created and or enhanced on site and specify the appropriate management prescriptions to secure the predicted condition targets, as per the approved biodiversity metric for the application (Elton Ecology, April 2026). The HMMP shall also set out a monitoring schedule to ensure targets are met and remedial actions to take if not.

   The proposed HMMP shall be implemented in full and shall be maintained for a minimum of 30 years after the development is completed.

   Reason: In the interests of ensuring measurable net gains to biodiversity and in accordance with the National Planning Policy Framework and Schedule 7A Town and Country Planning Act (inserted by the Environment Act 2021).

4. Prior to the commencement of use, a Species Enhancement Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented in full and maintained thereafter.

   Reason: To ensure the enhancement of biodiversity in accordance with policy EN8; of the Adopted Amber Valley Borough Local Plan 2022 - 2040.

5. Prior to the commencement of use, a visibility splay measuring 2.4 metres x 19 metres shall be provided to the north of the site access, with details to be submitted to and approved in writing by the Local Planning Authority. The visibility splay shall thereafter be kept clear of any obstruction exceeding 0.6 metres in height above the adjacent carriageway level.

   Reason: In the interest of highway safety in accordance with policies EN15 and IN1; of the Adopted Amber Valley Borough Local Plan 2022 - 2040.

6. The building hereby permitted shall be used solely for storage purposes and for no other purpose, including any other purpose within the same Use Class, without the prior written approval of the Local Planning Authority.

   Reason: To ensure the development does not give rise to unacceptable impacts on the amenity of neighbouring properties, and the interest of highway safety in accordance

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with policies EN10, EN15 and IN1; of the Adopted Amber Valley Borough Local Plan 2022 - 2040.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any Order revoking and re-enacting that Order, no development permitted by Class Q of Part 3 of Schedule 2 shall be carried out in respect of the building hereby approved.

Reason: To ensure that any future proposal for the conversion of the building to residential use is subject to full assessment by the Local Planning Authority, in order to protect the character and visual amenities of the surrounding countryside in accordance with policies SS9 and EN15; of the Adopted Amber Valley Borough Local Plan 2022 - 2040.

Notes
Attention is drawn to the attached notes:

1 Regarding Condition 4, the plan shall clearly show positions, specifications and numbers of features, which will include (but are not limited to) the following:

1no. integrated or externally mounted nest box on new building (avoiding southern elevations).
1no. integrated or externally mounted bat box on new building (favouring southern elevations).

2 The applicant is advised that the existing boundary fence and gate do not form part of this planning application and have been installed without the benefit of planning permission. The Local Planning Authority will consider the unauthorised works separately through its planning enforcement process. The grant of planning permission for the agricultural building does not regularise or grant permission for the existing fence and gate.

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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SS1 - Presumption in favour of Sustainable
SS9 - Countryside
EN7 - Landscape Character & Features
EN8 - Biodiversity
EN9 - Biodiversity Gains
EN10 - Pollution
EN15 - Quality and Design of Development
IN1 - Transport

In detail:

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.

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

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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.