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

Mr Jonathan Williamson
51 Oaklands Avenue
Heanor
Derbyshire
DE75 7BB

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 the saved policies of the Adopted Amber Valley Borough Local Plan 2006, and with reference to your application (**Office Code: AVA/2026/0597**) which was valid on the 18 September 2026 for permission for **Application for permission in principle for the erection of a single private self-build dwellinghouse at Land To The Rear Of 49 To 65 Oaklands Avenue 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:**

Notes
Attention is drawn to the attached notes:

1. The applicant is advised that the permission is granted in accordance with the Town and Country Planning (permission in Principle) (amendment) Order 2017 which states that permission in principles are granted a period of 3 years and a technical detail consent must be determined within the duration of the permission granted.

2. The applicant is advised that any such dwelling should be single storey or no more than 1 stories at the technical details stage due to the potential implications on neighbouring properties amenity, as well as the elevated position of the area of the land.

Coal Authority
The applicant is advised that the site is within a high risk are for coal mining and therefore a Coal Mining Risk Assessment should be submitted at the technical details stage.

Date: 06/11/2026

Signed:

S Gladwin

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Derbyshire Wildlife Trust

The applicant is advised that a Preliminary Ecological Appraisal, Pre- and post-development habitat plans, A fully completed metric is submitted, an outline of proposals to achieve the +10% gain and a final Gain Plan and a Habitat Management and Monitoring Plan should be submitted as part of the technical details stage.

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, the Regional Plan, and the saved policies of the Adopted Amber Valley Borough Local Plan 2006:

SS1 - Presumption in favour of Sustainable
SS3 - Settlement Hierarchy
H1 - Within Adjacent to Urban Areas and Key v

Date: 06/11/2026

Signed

S Gladwin

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NOTES

1. **If the applicant is aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.**
   If the decision relates to a householder application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
   In all other circumstances an appeal should be made within six months of the date of this notice. The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use 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.

   If this decision relates to the same, or substantially the same, land and development that is already the subject of an enforcement notice, if you want to appeal against the local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.

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.**