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/2026/0629**) which was valid on the 29 September 2026 for permission for **Variation of condition 2 of AVA/2022/0436 to provide additional space for the bungalow as requested by purchaser at 409 Somercotes Hill Somercotes Alfreton**

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 carried out only in accordance with the details and specifications shown on the following drawings:
Scheme design house types DRG no: PA 2-2006 SK 8102 B (plots 1-4)
588-200 P5 Variation Site Plan.
588-201 Existing Plans and Elevations (Plot 5 only)
588-202 Proposed Plans and Elevations. (Plot 5 only)

All received on 29th September 2026

Reason: To ensure that the development takes the form envisaged by the Local Planning Authority when determining the application in accordance with policies SS1 and EN15 of the Adopted Amber Valley Borough Local Plan 2022-2040.

Date: 17 November 2026

Signed S Gladwin

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2. The facing and roofing materials to be used in the development hereby permitted shall match as closely as possible those used in the construction of the existing building.

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

3. Finished floor levels of all buildings, and the relationship of such to the existing dwellings shall accord with the approved plan DL/588/200 and the development be constructed in accordance with the agreed levels.

Reason: To safeguard the privacy and amenities of the occupiers of adjoining properties in accordance with policy EN15 of the Adopted Amber Valley Borough Local Plan 2022-2040.

4. No part of the development shall be occupied or brought into use until the areas indicated on the submitted plans to be set aside for parking and servicing have been surfaced, drained and permanently marked out or demarcated in accordance with the details and specifications shown in drawing number DL/588/200. The parking and servicing areas shall be retained as such thereafter.

Reason: To ensure that adequate provision is made on the site for the traffic generated by the development, including allowance for safe circulation.

5. Space shall be maintained within the site curtilage whilst the build process is in operation for the storage of plant and materials/ site accommodation/ loading and unloading of goods vehicles/ parking and manoeuvring of site operatives and visitors vehicles in accordance with the approved designs free from any impediment to its designated use.

Reason: In the interests of highway and pedestrian safety.

6. There shall be no gates or other barriers within 5m of the nearside highway boundary and any gates shall open inwards only.

Reason: In the interests of highway and pedestrian safety.

7. The making good of the end of terrace to no. 411 Somercotes Hill, shall be undertaken in full accordance with the agreed scheme.

Reason: For the avoidance of doubt an and the interests of residential and visual amenity in accordance with Policy EN15 of the Adopted Amber Valley Borough Local Plan 2022-2040.

8. The approved CEMP (Biodiversity) shall be maintained throughout the build process.

Date: 17 November 2026 Signed

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Reason: In order to protect wildlife species and their habitats in accordance with Policy EN8 of the Adopted Amber Valley Local Plan 2022-2040.

9. The installation of lighting fixtures shall be in accordance with the approved lighting strategy.

Reason: In order to protect the protected wildlife species and their habitats and in accordance with Policy EN8 of the Adopted Amber Valley Local Plan 2022-2040.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any Order revoking and re-enacting that Order) no development relating to Class A, B and C of Part 1 of Schedule 2 (erection of extensions, roof alterations) 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 Adopted Amber Valley Borough Local Plan 2022-2040.

11. The agreed scheme for boundary treatments shall be implemented in full prior to the occupation of the development.

Reason: To ensure both the satisfactory appearance of the completed development and an adequate level of amenity for the proposed dwellings in accordance with policy EN15 of the Adopted Amber Valley Borough Local Plan 2022-2040.

12. The garage/carport hereby permitted shall not be used for the storage of vehicles other than private motor vehicles, and no trade or business shall be carried out therefrom (i.e. to be used for domestic purposes only). The use of the garage shall remain at all times for the purpose of parking a motor vehicle and shall not be converted to additional living accommodation, unless otherwise agreed in writing with the Local planning Authority.

Reason: To safeguard the privacy and amenities of the occupiers of adjoining properties and to ensure that adequate off-street parking facilities are available in accordance with policies EN15 and IN1 of the Adopted Amber Valley Borough Local Plan 2022-2040.

13. Prior to first occupation of the dwellings, hereby permitted, the refuse storage area shall be implemented in accordance with the approved details and shall remain in perpetuity.

Reason: To ensure that adequate refuse storage is available for residents of the scheme and is not visually detrimental to the street scene and overall design of the scheme in in accordance with policy EN15 of the Adopted Amber Valley Borough Local Plan 2022-2040.

Date: 17 November 2026 Signed

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14. The means of disposal of both surface water and foul sewage shall be carried out in accordance with the approved scheme.

Reason: To ensure the provision of adequate facilities to dispose of surface water and foul sewage in accordance with policy EN3 of the Adopted Amber Valley Borough Local Plan 2022-2040.

Notes
Attention is drawn to the attached notes:

1. In order to reduce the likelihood of local residents being subjected to adverse levels of noise annoyance during construction, work on site should not occur outside of the following hours:
Monday-Friday -7:30am - 18:00 pm
Saturday -8.30am- 13:00 pm
No work on Sundays or Bank Holidays

2. Pursuant to Section 184 of the Highways Act 1980 and Section 86(4) of the New Roads and Streetworks Act 1991 prior notification shall be given to the Department of Economy, Transport & Environment at County Hall, Matlock regarding access works within the highway. Information, and relevant application forms, regarding the undertaking of access works within highway limits is available via the County Council's website http://www.derbyshire.gov.uk/transport_roads/roads_traffic/development_control/vehicular_access/default.asp, e-mail highways.hub@derbyshire.gov.uk or telephone Call Derbyshire on 01629 533190.

3. Pursuant to Sections 149 and 151 of the Highways Act 1980, steps shall be taken to ensure that mud or other extraneous material is not carried out of the site and deposited on the public highway. Should such deposits occur, it is the applicant's responsibility to ensure that all reasonable steps (e.g. street sweeping) are taken to maintain the roads in the vicinity of the site to a satisfactory level of cleanliness.

4. The public sewer which passes through the site will need to be diverted at the developers expense.

5. The applicant is reminded of the terms of the Section 106 Agreement which relates to this site.

Date: 17 November 2026 Signed

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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:

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In detail:

Date: 17 November 2026

Signed

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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.