

Land Adj
Puss In Boots, Wirksworth
Road
Duffield
Belper
Derbyshire
DE56 4AP

- Outline Planning Permission Granted (AVA/2020/0271)
- For the erection of a single dwelling
- Generous plot with good proportions
- For further information contact the agent
- Ecclesbourne School Catchment

SCARGILL
MANN & CO

EST. 1995

GENERAL INFORMATION

Scargill Mann & Co are delighted to offer this single building plot for sale in this highly favoured and popular locality of Duffield which boast enviable facilities and is within the highly favoured catchment area for Ecclesbourne Secondary School and is situated close to a local village pub. There is also ease of access to Wirksworth and Derby City centre.

Outline Planning Permission has been granted (AVA/2020/0271) for the erection of a single dwelling. For further information contact the agent.

VIEWING

Strictly by arrangements through our Derby office (DM/SE).



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/2020/0271**) which was valid on the 16 March 2020 for permission for **Outline planning application for one detached single storey residence with garage (The proposal is contrary to the provision of the Amber Valley Borough Local Plan 2006) at Land Adjacent To Puss In Boots Wirksworth Road Duffield**

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. Application for approval of reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission and the development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason: To prevent the accumulation of planning permissions; to enable the Council to review the suitability of the development in the light of altered circumstances and to comply with the provisions of Section 92(2) of the Town and Country Planning Act

dwelling.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

3. Before the first occupation of the dwelling, the subject of the application, the existing access shall be modified in accordance with the revised application drawing number f.09 Rev 3, laid out, constructed and provided with 2.4m x 25m visibility splays in both directions, the area in advance of the sightlines being maintained throughout the life of the development clear of any object greater than 1m in height (0.9m in the case of vegetation) relative to adjoining nearside carriageway channel level.

Reason: to ensure a safe vehicular access is provided in accordance with saved policy TP1 of the Amber valley Borough Local Plan 2006.

4. Before the first occupation of the dwelling, the subject of the application, the existing vehicular access to shall be permanently closed with a physical barrier and the existing vehicle crossover reinstated as or verge in a manner to be agreed in writing with the Local Planning Authority in consultation with the County Highway Authority.

Reason: to ensure a safe vehicular access is provided in accordance with saved policy TP1 of the Amber valley Borough Local Plan 2006.

5. The premises, the subject of the application; shall not be occupied until space has been provided within the site curtilage for the parking and manoeuvring of residents' vehicles, located, designed, laid out and constructed all as agreed in writing with the Local Planning Authority and maintained throughout the life of the development free from any impediment to its designated use.

Reason: To ensure appropriate parking provision is provided in accordance with saved policy TP8 of the Amber valley Borough Local Plan 2006.

6. This permission relates to the erection of single storey development only.

the relevant approved development shall be carried out in accordance with the recommendations and conclusions of the Protected Species Appraisal by Arc Ecology dated March 2020.

Reason: In the interest of ecology in accordance with saved policy EN13 of the Amber valley Borough Local Plan 2006.

8. Prior to the commencement of development, a bird enhancement strategy for 2 No 16 Schwegler Swift Box to be incorporated into the new dwelling shall be submitted to and approved in writing by the Local Planning Authority. Such approved measures must be implemented in full and maintained thereafter.

Reason: In the interest of ecology in accordance with saved policy EN13 of the Amber valley Borough Local Plan 2006.

9. 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. The scheme shall include an assessment of significance and research questions; and

- The programme and methodology of site investigation and recording
- The programme and provision to be made for post investigation analysis and reporting;
- Provision to be made for publication and dissemination of the analysis and records of the site investigation
- Provision to be made for archive deposition of the analysis and records of the site investigation
- Nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation

No development shall take place other than in accordance with the approved archaeological Written Scheme of Investigation.

ensure that any archaeological remains protected in accordance with saved policy EN31 of the Amber Valley Borough Local Plan 2006.

Notes

Attention is drawn to the attached notes:

- 1 Pursuant to Section 278 of the Highways Act 1980 and the provisions of the Traffic Management Act 2004, no works may commence within the limits of the public highway without the formal written Agreement of the County Council as Highway Authority. It must be ensured that public transport services in the vicinity of the site are not adversely affected by the development works.
- 2 Advice regarding the technical, legal, administrative and financial processes involved in Section 278 Agreements may be obtained from Mr Kevin Barton of Environment, Transport and Communities department at County Hall, Matlock (tel: 01629 538658 or email kevin.barton@derbyshire.gov.uk). The applicant is advised to allow approximately 12 weeks in any programme of works to obtain a Section 278 Agreement.
- 3 The applicant is advised that the application site is within the setting of 2, Grade II Listed Buildings and any reserved matters application should be designed accordingly, and include the use of high quality materials so as to respect their setting.
- 4 No removal of vegetation that may be used by breeding birds shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of the vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

ensure that any archaeological remains protected in accordance with saved policy EN31 of the Amber Valley Borough Local Plan 2006;

Notes

LS1 - Sustainability criteria
LS3 - Design
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LS4 - Accessibility
H5 - Housing development outside settlements
H12 - Design and amenity considerations
TP1 - Impact on the Transport Network
TP6 - Parking
EN1 - Countryside
EN8 - Landscape Features
EN13 - Nature Conservation
EN24 - Listed Buildings
EN31 - Archaeological Interest

In detail:

The National Planning Policy Framework (NPPF) is a material consideration in planning decisions. In accordance with Paragraph 38 of the NPPF the local planning authority has approached the decision making process in a positive way to foster the delivery of sustainable development and has worked proactively with the applicant/agent to secure a development to improve the economic, social and environmental conditions of the area.

Whilst the approval of this application would represent a departure from the Local Plan, the other material considerations are significant and in this instance outweigh the presumption against residential development on greenfield land and provide justification to support the proposal. Despite being a greenfield site the development is acceptable in terms of scale and character, makes efficient use of the land, a satisfactory access to the highway can be provided, there is a limited impact on the amenity of the area and there is no significant adverse impact on landscape features. The development will also contribute to meeting the

4. Where it is necessary to install or 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
323 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 public are to be admitted, 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).

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Energy Efficiency Rating		
	Current	Potential
Very energy efficient - lower running costs		
(92 plus) A		
(81-91) B		
(69-80) C		
(55-68) D		
(39-54) E		
(21-38) F		
(1-20) G		
Not energy efficient - higher running costs		
EU Directive 2002/91/EC 		
England & Wales		

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