**From:**Goodier, Melanie
**Sent:**Tue, 24 Mar 2026 09:42:46 +0000
**To:**Godson, Rebecca
**Cc:**Development
**Subject:**AVA/2026/0014 - Change of use from factory to small event space and play cafe at Unit 1, 16 Days Lane, Belper (Our Ref. 26/07795/PL01)
**Attachments:**AVA 2026 0014_Proposed Floor Layout.pdf, AVA 2008 0503_decision+plans.pdf, AVA 2026 0014_location + parking.pdf

Morning Rebecca,

Apologies for my delayed response due to excess workload.

**Proposed development**

The proposed development is for the change of use of part of the ground floor of a former knitting factory to a 'small event space and play café'. Section 21 of the application form proposes the following hours of operation (I've inferred that '12AM' is midnight rather than noon):

**21. Hours of Operation**
Please state the hours of opening for each non-residential use proposed:

| Use | Monday to Friday | Saturday | Sunday and Bank Holidays |
|---|---|---|---|
| PLAY CAFE | 9AM - 5 PM | | |
| EVENT BOOKINGS | | 9 AM - 12 AM | 9 AM - 6 PM |
| EVENTS | FRI 6 PM - 12 AM | | |
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| | | | |

The 'Planning Document' and 'Planning Statement' provide further information on the nature of the proposed uses:

- Primarily daytime from 08:00-19:00, with the potential to extend into the later evenings for occasional private events.
- Maximum capacity is likely to be around 60 at any one time.
- 'Events' encompasses:
  - Corporate bookings and wakes on weekdays 09:00-17:00;

- Children's parties, baby showers, christening celebrations etc. on Saturdays and Sundays 09:00-18:00;
- Events on Fridays and Saturdays 'eventually' extending from 19:00-midnight.;
- Café/bar operating as an ancillary facility serving hot drinks, alcohol and light refreshments for booked events;
- In-house sound system and live music in the form of solo singers/guitarists. No 'DJ events and club nights';
- Community workshops.

- 'Play Café':
  - Ancillary to the main use ('Small events space'?);
  - 90-minute sessions for 12-15 children up to 4/5 years of age on Tuesdays to Thursdays 09:00-16:00;
  - Provision of a permanent soft play structure;
  - Café for accompanying parents/carers (not open to the public).
- 'Office and Prep days' (not open to the public) on Mondays and Fridays.

I'm not entirely convinced that the proposed uses fit comfortably into Use Class E: the activities described appear to fall outside the defined limits of other use classes so a 'Sui Generis' description may be more appropriate. My concern with Use Class E is that the permitted change of use to any activity within that Class could have adverse implications for the living conditions of neighbours as not all activities are compatible with residential/sensitive neighbours. If granted under Use Class E, it would be advisable to remove PD rights to allow further consideration of the likely implications that a permitted change of use might bring about (a 'Sui Generis' approval would have this effect in any case).

**Objections**

I note that a significant number of objections have been raised by residents in the vicinity. Although all focus on parking issues, some raise concerns about the potential impact of noise, which falls within the enforcement remit of this unit:

- Noise from the venue itself, particularly given the proposed late operating hours, in a generally quiet residential area;
- Large numbers of people arriving and leaving at the same time for functions;

- Holding functions into the evenings will mean noise and possible nuisance for residents;
- Cumulative impact of noise from events at the application site and the existing pub opposite, which has a large, dedicated function room; and
- Potential for noise and anti-social behaviour exacerbated by alcohol.

In addition to noise, concerns are also raised about the adequacy of facilities for waste storage/collection and deliveries. Section 7 of the application form states that the (trade) waste bins will be located at the front of the building, as the neighbouring businesses. This isn't a particularly satisfactory arrangement as it's likely to further impact the limited parking provision and safe drop-offs/pick-ups.

**Comments**

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Prior to approval of the snooker club and bar (Unit 5) on the first floor of the building in 2008 (**AVA/2008/0503** - attached), a noise impact assessment was requested. That report concluded that music noise emissions could be reduced to an acceptable level with the installation of acoustic insulation measures to address the building's acoustic weaknesses. I didn't object subject to the attachment of conditions to control noise emissions (conditions 3-5), cooking odours (condition 8), external lighting (condition 9) and opening hours (condition 10). Our records indicate that no noise/nuisance complaints have been made to this unit about the snooker club since operations began. Given that no noise impact assessment has been made of the suitability of the building for the uses currently being proposed, precautionary conditions are needed to protect the living conditions of nearby residents.

With regard to parking, you may wish to note that condition 11 *appears* to refer to the same car parking area off Fleet Park as the current applicant intends to use after 16:00 on weekdays and all day at the weekend (also used by the adjoining factory during the daytime) – see attached plans for both applications. I have concerns about the capacity of the formal parking provision and the impact of noise and nuisance from drop-offs/collections, taxis and deliveries immediately outside the building, particularly in the evenings to midnight.

The proposed activities and times are a little vague and differ across the submitted documents, so I've drafted conditions (below) to allow the proposed daytime uses whilst addressing the concerns of objectors and retaining some control over the extent of activities in the short-term, and to allow any adverse impacts to be assessed before considering any extension of hours/activities in the longer term. If the applicant is not agreeable, further information/clarification will be required before determination or the application refused:

**Recommended Conditions**

As the impact on living conditions is difficult to establish at this stage and will depend to a large extent on the level of environmental management employed and intensity of use, I would advise that approval is subject to:

- A personal permission; and

- A temporary permission not exceeding 12 months. This should allow sufficient time for any impacts to be assessed before a full permission, and any extension, is considered. The applicant must therefore be able to demonstrate that the permitted activity has taken place for a significant consecutive period during the 12 months prior to the renewal application.

Condition 1 – Use Class E

Notwithstanding the provisions contained within the Town and Country Planning (Use Classes) Order 1987 (or any Order revoking and re-enacting that Order) this permission shall relate to the use of the premises only for the purposes defined in Class E (small events and play café) and for no other purpose (including any other purpose in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Condition 2 - Operating hours (based on the application form)

The uses hereby permitted shall be carried out within the application site only in accordance with the following:

a) Events space: between 09:00 and 17:00 hours on Mondays to Fridays, between 09:00 and 18:00 on Saturdays, Sundays and bank holidays; and

b) Play café: between 09:00 and 17:00 hours on Mondays to Fridays.

Under no circumstances shall the premises be hired for private, unsupervised use without the presence of the operator.

Condition 3 - Noise

The uses hereby permitted shall be carried out within the application site only in accordance with the following noise mitigation measures:

a) All external windows and doors shall be kept closed other than during necessary access/egress; and

b) No electrically amplified sound, including music and voices, or percussion instruments shall be used.

Condition 4 – Kitchen odour/noise

Before the use hereby permitted begins, equipment to control the emission of cooking fumes and smell from the premises, as well as the associated level and character of noise emissions, shall be installed. The equipment shall be appropriate to the nature and quantity of cooking done and sufficient to control the emission of smell and noise from the premises such that the living conditions of nearby premises are not materially affected. This equipment shall be used whenever cooking is taking place and shall be switched off no later than fifteen minutes after the premises are required to close. The equipment shall be installed, operated and maintained in accordance with the manufacturer's instructions and retained for so long as the use continues. Records documenting the level of maintenance and servicing shall be kept, and available for inspection, for at least the preceding 2 years.

Following installation, if an assessment of odour or noise emissions from the kitchen extraction equipment by the local planning authority determines that further mitigation is required, appropriate measures shall be taken in accordance with a scheme to be approved in writing by the Local Planning Authority within an agreed period.

Condition 5 – External lighting

Other than that described in the application, no permanent external lighting or illuminated signage shall be installed without the prior written approval of the Local Planning Authority.

Condition 6 - Waste

The use hereby permitted shall not commence until details of the refuse facilities to be provided and their location have been submitted to, and approved in writing by, the Local Planning Authority. Those facilities shall be provided in accordance with the approved details before the use commences and shall be maintained as such.

Regards,

**Melanie Goodier | Principal Pollution Officer**

**Amber Valley Borough Council**
Pollution Control | Town Hall, Market Place, Ripley, Derbyshire, DE5 3BT
Email (Direct): melanie.goodier@ambervalley.gov.uk; (Office): env.admin@ambervalley.gov.uk |
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**From:** development@ambervalley.gov.uk <development@ambervalley.gov.uk>
**Sent:** 03 February 2026 18:30
**To:** Goodier, Melanie <Melanie.Goodier@ambervalley.gov.uk>
**Subject:** Planning Consultation - AVA/2026/0014

Dear Sir/Madam

Consultee Type: EH Pollution Control (Noise/Nuisance)
Our Ref: AVA/2026/0014

**Proposal:**
Change of use from a factory to a small event space and play cafe

**Development Type:**
Change of use

**Location:**
BRETTLES FACTORY OUTLET Unit 1 16 Days Lane Belper Derbyshire DE56 1NQ

**Applicant:**
Mrs Libby Layton
23 West Hill Codnor Ripley Derbyshire DE5 9RX

**Case Officer Details:**
**Name:** Rebecca Godson
**Telephone:** 01773 841667
**E Mail:** rebecca.smith@ambervalley.gov.uk

I enclose details of this application and would be pleased to receive any comments you may have within the next 21 days.

The Application should be available to view on our website within the next 24 hours.

There is a comments button that you can click on to make comments regarding an application (please see the link below that will take you directly to this planning application) or alternatively

you can send a direct email to development@ambervalley.gov.uk

https://www.ambervalley.gov.uk/planning/development-management/view-a-planning-application/?appnumber=AVA-2026-0014

Please let the case officer know if you cannot reply by then.

Sarah Brooks
Planning Manager