From: Godson, Rebecca
Sent:8 Apr 2026 11:18:56 +0100
To: Development
Subject:FW: AVA/2026/0074 - The Drunken Dog, Unit 2, 38 Market Place, Heanor, DE75 7EG (Our Ref. 26/08042/PL01)
Attachments: Proposed Layout Drawing.pdf, Location Plan.pdf, Premises Licence_Location Plan.pdf

Please could this be att?

Thanks

From: Goodier, Melanie <Melanie.Goodier@ambervalley.gov.uk>
Sent: 07 April 2026 17:44
To: Godson, Rebecca <rebecca.godson@ambervalley.gov.uk>
Cc: Leedham, Scott <Scott.Leedham@ambervalley.gov.uk>
Subject: AVA/2026/0074 - The Drunken Dog, Unit 2, 38 Market Place, Heanor, DE75 7EG (Our Ref. 26/08042/PL01)

Afternoon Rebecca,

In addition to this consultation, I have also been consulted on a parallel application for a premises licence (comments due by 24.04.2026). As planning requirements take precedence over the activities, operating hours etc. granted in a licence issued under the Licensing Act 2003, to avoid confusion, the planning decision and the premises licence should be consistent. Both applications have been made by the same applicant but show a number of inconsistencies:

1) The planning application form states that the building was originally two separate shops (there are two entrance doors in the frontage) last operated as a single hardware shop, and that □The owner has now made it back into 2 small shops unit 1 will remain a shop□. Section 5 of the □Heritage Statement□ states that the current proposal seeks permission for a □..change of use from a retail shop (Class E) to a public house (Sui Generis) at Unit 2 Wilmot Street□. Although the □Proposed Layout Drawing□ (attached) reflects this description, the □Location Plan□ (attached) includes both Units 1 and 2 within the application site (red line);

2) The red line indicating the licensed area on the location plan submitted with the premises licence application (attached) is drawn (correctly) around Unit 1 only, but also shows an outdoor seating area (outlined blue) that isn□t referred to in the planning application. The provision and use of an outdoor seating area should be clarified to determine if further comments/conditions are needed;

3) The address (according to Uniform□s Gazetteer) should be Unit 2, 38 Market Place, Heanor, DE75 7EG, rather than Unit 2, 2 Wilmot Street, Heanor, DE75 7EF.

In addition, the planning application form states that the opening hours are not relevant to the proposal and aren□t stated. As there are dwellings nearby, I consider that opening hours *are* relevant, so have referred to the operating hours/activities in the premises licence application which proposes:

- Opening hours: 12:00-23:00 on Mondays to Thursdays; 12:00-midnight on Fridays and Saturdays; and 12:00-22:00 on Sundays. Also, 12:00-01:00 on New Year□s Eve;
- Alcohol on/off-sales: 12:00-23:00 on Mondays to Thursdays; 12:00-midnight on Fridays and Saturdays; and 12:00-22:00 on Sundays. Also, 12:00-00:30 on New Year□s Eve;
- Live music (indoors): 23:00-00:15 on New Year□s Eve; and
- Customers will be sitting in the beer garden until 21:00 in the summer months.

Regulated entertainment (including live/recorded music) is not licensable between 08:00 and 23:00, so could take place unless controlled by planning condition. In the absence of any information about the degree of sound insulation provided by the building, it□s not possible to comment on the likely level of entertainment noise breakout, so I□ve recommended a condition (below) restricting such activities unless further information is provided at some point.

The □Proposed Layout Drawing□ shows a □kitchen□ towards the rear of the building, opposite the customer toilets, but it□s not clear if this is a commercial or staff kitchen, or if it□s within a separate room. This should be clarified to determine if further comments/conditions are needed.

I note that your subsequent e-mail on 02.04.2026 addresses some of the above issues and that the applicant has now suggested the following operating hours (red text indicates different hours to those in the Premises Licence application):

- 12:00-23:00 on Mondays to Thursdays; 12:00-00:15 on Fridays and Saturdays; and 12:00-22:15 on Sundays;
- 12:00-23:30 on Christmas Eve; and
- 12:00-01:00 on New Year□s Eve.

Recommendation

Given the location and description of the proposed development I have no objection in principle, subject to clarification of the above (underlined) and the following conditions (as per two similar approvals in the vicinity in 2023) to protect the living conditions of nearby dwellings:

Condition 1 - Opening hours (in accordance with the *original* application form)

No customer shall be permitted on the premises other than between:

- 12:00 and 23:00 on Mondays to Thursdays;
- 12:00 and midnight on Fridays and Saturdays;
- 12:00 and 22:00 on Sundays;
- 12:00 and 23:30 on Christmas Eve only; and
- 12:00 and 01:00 on New Year□s Eve only.

Condition 2 - Beer garden

No outdoor seating or smoking area shall be provided until its location, design and hours of use have been approved by the Local Planning Authority.

Condition 3 - Noise management

No electrically amplified sound, including music and voices, or percussion instruments shall be permitted on the premises for the entertainment of customers before a noise management plan, including measures for sound insulation and management, has been submitted to, and approved in writing by, the Local Planning Authority.

Condition 4 - Building services plant

Before any building services plant, including air conditioning units, condensers, chillers, commercial kitchen extraction or similar, capable of generating noise outside the building, is installed on the premises, detailed information regarding its acoustic performance shall be submitted to, and approved in writing by, the Local Planning Authority. If required by the Local Planning Authority, such plant shall be enclosed with sound-insulating material and/or mounted in a way which will minimise the emission or transmission of sound in accordance with a scheme to be approved in writing by the Local Planning Authority.

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 |
Telephone (Direct): 01773 841325; (Office): 01773 841335 | www.ambervalley.gov.uk

Making a Difference for Amber Valley

Please note that e-mails larger than **25MB** will not be accepted at the above e-mail address.

From: development@ambervalley.gov.uk <development@ambervalley.gov.uk>
Sent: 19 February 2026 18:30
To: Goodier, Melanie <Melanie.Goodier@ambervalley.gov.uk>
Subject: Planning Consultation - AVA/2026/0074

Dear Sir/Madam

Consultee Type: EH Pollution Control (Noise/Nuisance)
Our Ref: AVA/2026/0074

Proposal:
Change of use from shop (Class E) to pub (Sui Generis)

Development Type:
Change of use

Location:
CRACKERS Unit 1 And 2 38 Market Place Heanor Derbyshire DE75 7EG

Applicant:
Mrs Kerry Mapstone
The Drunken Dog Unit 2 Wilmot Street Heanor DE75 7EF

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-2026-0074

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

Sarah Brooks
Planning Manager