From: Godson, Rebecca
Sent:8 May 2026 12:03:57 +0100
To: Development
Subject:FW: AVA/2026/0171 - Change of use to a nursery (Class E(f)) etc. at 124 Derby Road, Ripley (Our Ref. 26/08721/PL01)

Please could this be att?
Thanks

From: Goodier, Melanie <Melanie.Goodier@ambervalley.gov.uk>
Sent: 28 April 2026 11:21
To: Godson, Rebecca <rebecca.godson@ambervalley.gov.uk>
Subject: RE: AVA/2026/0171 - Change of use to a nursery (Class E(f)) etc. at 124 Derby Road, Ripley (Our Ref. 26/08721/PL01)

Hi Rebecca,

As the applicant accepts the other conditions, I don□t think prescribing the number of children/staff is a deal-breaker in the context of the building□s previous uses.

Regards,

Melanie

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

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From: Godson, Rebecca <rebecca.godson@ambervalley.gov.uk>
Sent: 24 April 2026 15:48
To: Goodier, Melanie <Melanie.Goodier@ambervalley.gov.uk>
Subject: RE: AVA/2026/0171 - Change of use to a nursery (Class E(f)) etc. at 124 Derby Road, Ripley (Our Ref. 26/08721/PL01)

Hi Mel,

I discussed this with Sarah this morning, and we noted that while some other LPAs do have policies addressing this issue, we don't currently have anything equivalent in place.

Having checked, other agencies will confirm numbers on their own terms, but without a clear policy or supporting evidence, I'm unsure what level of restriction we could reasonably justify. In particular, a limit of 9 seems quite low for a children's day nursery, and I'm not certain it would be financially viable given typical staffing ratios.

The other conditions have been agreed, but numbers may be a sticking point given their proposal is significantly higher.

I also take your point regarding the appeal case; however, from what I can see, that example relates to a more residential setting, rather than a site adjacent to a main road with existing nursery provision directly opposite.

Any further thoughts or advice on how best to approach this gratefully received.

Kind regards,

Rebecca

From: Goodier, Melanie <Melanie.Goodier@ambervalley.gov.uk>
Sent: 22 April 2026 14:27
To: Godson, Rebecca <rebecca.godson@ambervalley.gov.uk>
Subject: RE: AVA/2026/0171 - Change of use to a nursery (Class E(f)) etc. at 124 Derby Road, Ripley (Our Ref. 26/08721/PL01)

Afternoon Rebecca,

Proposed condition 4 is based on the Inspector□s decision in a similar case that □□the imposition of planning conditions relating to hours of use and the care of no more than nine children for the child-minding and a children□s day nursery part of the mixed use provides an *acceptable level of control in terms of suitably protecting the living conditions of the occupiers of surrounding properties*□□ (APP/M1005/C/17/3182961). I don□t know what criteria the other agencies use or if the numbers consider living conditions at other properties.

I□m assuming that the other proposed conditions are acceptable to the applicant.

Regards,

Melanie

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: Godson, Rebecca <rebecca.godson@ambervalley.gov.uk>
Sent: 01 April 2026 10:36
To: Goodier, Melanie <Melanie.Goodier@ambervalley.gov.uk>
Subject: RE: AVA/2026/0171 - Change of use to a nursery (Class E(f)) etc. at 124 Derby Road, Ripley (Our Ref. 26/08721/PL01)

Thanks Mel,

The Applicant advises that:

In relation to condition 4, a maximum capacity of 60 children and 12 staff is proposed. While Saturday morning sessions are intended to operate at reduced numbers, we are content for the stated maximum capacity to apply across all sessions for the purposes of this condition.

Would you consider this acceptable? Would numbers need to be approved by EYFS/Ofsted?

Kind regards,
Rebecca

From: Goodier, Melanie <Melanie.Goodier@ambervalley.gov.uk>
Sent: 27 March 2026 11:33
To: Godson, Rebecca <rebecca.godson@ambervalley.gov.uk>
Cc: Development <development@ambervalley.gov.uk>
Subject: AVA/2026/0171 - Change of use to a nursery (Class E(f)) etc. at 124 Derby Road, Ripley (Our Ref. 26/08721/PL01)

Morning Rebecca,

The application premises has been the subject of noise complaints when it operated as a public house and later as a hand car wash and catering business (noise, odour and lighting). This complaints history, and the fact that the site is surrounded by, and attached to, residential premises means that the impact on living conditions of any activities on the application site must be carefully considered. I note that the □Proposed layouts & block plan□ drawing (attached) suggests that the rooms along the party wall would accommodate relatively quiet activities

(office, cloaks, sensory room) rather than noisy play so, provided this remains the case, no additional acoustic insulation should be necessary.

The applicant□s business appears to be operating at premises opposite (109A Derby Rd, Ripley) and we have no record of any associated complaints. I therefore have no objection, subject to the following conditions to protect the living conditions of nearby dwellings:

Condition 1 □ Permitted Uses (to prevent permitted change of use to an unsuitable Class E Use)

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(f) 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 □ Approved plans

The establishment shall be laid out and operated in accordance with the approved drawing □Proposed layouts & block plan□ (129.002, Revision A, 18.03.2026).

Condition 3 □ Operating hours (in accordance with the application form)

The use hereby permitted shall take place only between 07:30 and 18:00 on Mondays to Fridays, and between 07:30 and 13:00 on Saturdays.

Condition 4 □ Number of children [suitable numbers to be established]

Up to [XX] children and [XX] members of staff may be present at any one time.

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

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From: development@ambervalley.gov.uk <development@ambervalley.gov.uk>
Sent: 19 March 2026 18:30
To: Goodier, Melanie <Melanie.Goodier@ambervalley.gov.uk>
Subject: Planning Consultation - AVA/2026/0171

Dear Sir/Madam

Consultee Type: EH Pollution Control (Noise/Nuisance)
Our Ref: AVA/2026/0171

Proposal:
Change of use from industrial process and associated living accommodation to a nursery with associated internal and external alterations

Development Type:
Change of use

Location:
124 Derby Road Ripley Derbyshire DE5 3HT

Applicant:
Joanna Houseman
Sunny Days Preschool Nursery Ltd 109A Derby Road Ripley Derbyshire DE5 3HT

Agent:
Mr Brett Needham
Sunny Days Preschool Nursery Ltd 109A Derby Road Ripley Derbyshire DE5 3HT

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-2026-0171

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

Sarah Brooks
Planning Manager