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/2026/0109**) which was valid on the 11 March 2026 for permission for **Change of use and conversion of redundant Grade 2 Listed public house to form a new single dwelling with ancillary garage at The Black Swan Wirksworth Road Idridgehay.**

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 begun before the expiration of three years from the date of this permission.

   Reason: To comply with the requirements of Section 91(1) of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out only in accordance with the details and specifications shown on the amended drawings P03 Garage Plans and Elevations as Proposed July 2026 Rev B , and P02 - Plans and Elevations as Proposed July 2026 Rev B received on 01.07.2026 and amended drawing P03 Garage Plans and Elevations as Proposed July 2026 Rev B (site layout) received 03.07.2026.

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Reason: To ensure that the development takes the form envisaged by the Local Planning Authority when determining the application in accordance with policies EN4 and EN15 of the Amber Valley Borough Local Plan 2026.

3. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority details and/or samples of the materials and finishes to be used for the external elevations of the proposed garage, and the development shall be carried out with those materials.

   Reason: To ensure the satisfactory appearance of the completed development in accordance with policies EN15 and EN4 of the Amber Valley Borough Local Plan 2026.

4. The lintels to the garage doors shall be constructed as true segmental brick arches unless otherwise agreed in writing with the planning authority.

   Reason: To ensure the works are carried out in a way which respects the special appearance and character of the Listed Building in accordance with policies EN15, and EN4 of the Amber Valley Borough Local Plan 2026.

5. Notwithstanding the hereby approved drawings, full details of the new boundary wall, gatepiers, gates and hardstanding at the entrance into the site shall be submitted to and approved in writing by the Local Planning Authority. This shall include a specification for the new stone, a specification for the mortar and pointing, details of new coping stones, and details of the pattern, material and painted finish of the gates.

   Reason: To ensure the works are carried out in a way which respects the special appearance and character of the Listed Building in accordance with policies EN15, and EN4 of the Amber Valley Borough Local Plan 2026.

6. The 2m x 2m pedestrian splays illustrated on drawing P03 Rev B as submitted on 3 July 2026 shall be maintained free of obstruction above a height of 0.6m above adjacent footway level for the life of the development.

   Reason: In the interest of pedestrian safety.

7. The development hereby permitted shall not be occupied until the driveway is surfaced in a bound material, along the full width of the driveway for a minimum length of 5m within the site measured from the highway boundary, in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. This area of driveway shall be maintained in the bound material for the life of the development.

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Reason: In the interest of highway safety.

8. The development hereby permitted shall not be occupied until provision has been made within the application site for electric vehicle charging facilities in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The approved facilities shall not thereafter be used for any other purpose and shall be maintained for the life of the development.

   Reason: In the interest of highway safety and furthering travel by sustainable modes.

9. The development hereby permitted shall not be occupied until provision has been made within the application site for secure, covered cycle parking in accordance with the detail shown on drawing P03 Rev B submitted on 1 July 2026 to the satisfaction of the Local Planning Authority. Such facilities shall not thereafter be used for any other purpose and shall be maintained for the life of the development.

   Reason: In the interest of highway safety and furthering travel by sustainable modes.

10. The development hereby permitted shall not be occupied until the site access and driveway/parking/turning areas are provided in accordance with the scheme illustrated on drawing P03 Rev B as submitted on 3 July 2026 to the satisfaction of the Local Planning Authority. The driveway/parking/turning areas shall not be used for any purpose other than parking/turning/loading/unloading of vehicles and shall be maintained for the life of the development.

    Reason: In the interest of highway safety.

11. Prior to building works commencing, a Biodiversity Enhancement Plan shall be submitted to and approved in writing by the Local Planning Authority. Approved measures shall be implemented in full and maintained thereafter.

12. Notwithstanding the submitted drawings full details to a scale of 1:10 of the first floor internal door to the bedroom and en-suite shall be submitted and agreed within the Local Planning Authority prior to installation.

    Reason: To ensure the works are carried out in a way which respects the special appearance and character of the Listed Building in accordance with policy EN4 of the Amber Valley Borough Local Plan 2026.

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Notes

Attention is drawn to the attached notes:

1 The deposit of mud or other items, and/or the discharge of water, onto the public highway are offences under Sections 149 and 151, Highways Act 1980. The applicant, any contractors, and the owner/occupier of the land must therefore ensure that nothing is deposited on the highway, nor that any soil or refuse etc is washed onto the highway, from the site. Failure to prevent this may force the highway authority to take both practical and legal action (which may include prosecution) against the applicant/contractors/owner or occupier of the land.

2 In regard to condition 11 The Plan shall clearly show positions, specifications and numbers of features, which will include (but are not limited to) the following:
- 1 x universal integrated nest brick / swift brick in line with British Standard 42021:2022.
- 1 x bat box
- fencing gaps 130 mm x 130 mm to maintain connectivity for hedgehogs.
- summary of ecologically beneficial landscaping (full details to be provided in Landscape Plans).

3 In regard to condition 3 the bricks should be slop-moulded handmade bricks.

4 In regard to conditions 5 the existing piers to the vehicle entrance need to be removed and the low wall continued and then swept up to gate piers. Full details of the gates including the new pedestrian gate and extended boundary wall will need to be shown on scale drawings.

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:

SS1 - Presumption in favour of Sustainable
SS3 - Settlement Hierarchy
H2 - Housing Development Within Other Village
EN15 - Quality and Design of Development
EN7 - Landscape Character & Features

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EN8 - Biodiversity
EN4 - Heritage Assets
IN1 - Transport
IN8 - Community, Leisure, Health & Cultural
EN1 - Climate Change

In detail:

The development complies with the provisions of the development plan for the locality and raises no unresolved issues in relation to the location of the site, privacy, amenity, character and design, landscape or heritage features and highway safety.

The National Planning Policy Framework (NPPF) is a material consideration in planning decisions. In accordance with Paragraph 39 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.

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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.