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Planning Comment: AVA/2025/0076 & 0077

FAO Amber Valley Borough Council [AVBC] Planning Department,

I'm writing to you on behalf of Idridgehay & Alton and Ashleyhay Parish Council (the Council); following the Council's last meeting, it was agreed to contact AVBC to comment against the approval of the following planning matter: AVA/2025/0076 & 0077 in regards to the Black Swann development applications.

In summary, the Parish Council objects to planning applications AVA/2025/0076 & 0077 regarding the Black Swan development. The council believes the proposal conflicts with the Idridgehay, Alton, and Ashleyhay Neighbourhood Plan, which emphasizes the importance of retaining the Black Swan pub as a community asset. The pub is the last remaining public house in the Parish, and its closure would result in the loss of a vital community facility.

The council highlights that the redevelopment and change of use of the Black Swan cannot be justified under Policy LC11 of the Amber Valley Local Plan, as there is no evidence of insufficient local demand. Furthermore, the application contradicts the Neighbourhood Plan's Community Policy C1, which supports proposals to retain community assets like the pub.

The council also believes the application not to be support by the National Planning Policy Framework (NPPF) 2024, which stresses the need to preserve valued community facilities, such as public houses, and avoid unnecessary loss of services that support the community's social and recreational needs.

Concerning the Council's objection to the conflict with the enacted Neighborhood Plan, the Council believes that the application is incompatible with VIA Community Policy C1, and its dependent sections; A and C (highlighted below).

This is due to the fact that the Community by referendum agreed that the retention of the Black Swan building to be local priority to remain open to the public. In addition the pub serves as the only parking facility within the Parish which support parking for the Church and Community Room therein. Thus the change of use of this building would not be supported by the adopted Neighbourhood Plan under the Localism Act 2011, which remains as the most recent and live developmental policy for the area.

VIA Community Policy C1: Support will be given to development proposals that would

- a) enable the reopening and retention of the Black Swan building as a community asset open to public use;**
- b) enhance and retain usage of the Alton Room at Idridgehay Church for community activities;**
- c) enable or directly provide improved car parking for the church and community room; and**
- d) enable the bringing into use a suitable site for a playing field for the community.**

Furthermore, the Council believes the application to be again incompatible with Amber Valley Borough Council's own development policies as highlighted below.

POLICY LC11:

The redevelopment and change of use of existing community facilities will only be permitted where it can be demonstrated that there is insufficient local demand to justify or sustain their existing use

POLICY LC12:

In considering development proposals, the Borough Council will seek to negotiate, where appropriate, the provision of community facilities in conjunction with development

We would politely remind the AVBC that the National Planning Policy Framework (NPPF) has now been updated by the Government and includes greater weight for the consideration of adopted Neighbourhood Plans in planning decision which conflict with stated policy:

Further more the Council notes that the NPPF also strongly directs planning authorities in these circumstances to protect community assets which would significantly impact the area in which they are located. As the last remaining public building asides from the Church we believe this application would contradict this section of NPPF.

National Planning Policy Framework 2024

Promoting healthy and safe communities (Paragraph 98)

To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:

(a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;

(b) take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community;

(c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;

(d) ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community; and

(e) ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.

The Council hopes that you will agree with our assessment of the application, and reject the application accordingly. The Council would appreciate it if the Planning Department could inform us of the outcome in regard to this planning application.

Yours Sincerely,

Matthew Evans

Clerk & Responsible Financial Officer
Idridgehay & Alton and Ashleyhay Parish Council