

## Planning Committee 13<sup>th</sup> December 2022

<b>APPLICATION NUMBER</b>		22/01011/FUL	
<b>SITE ADDRESS:</b>		The Knockerdown Inn, Knockerdown, Ashbourne, Derbyshire, DE6 1NQ	
<b>DESCRIPTION OF DEVELOPMENT</b>		Change of use of public house and associated land to a mixed use comprising coffee house, bar & restaurant and place of assembly & leisure including functions, event and display areas, and ancillary retail use. Erection of a retail and coffee shop (including additional toilets); formation of additional car parking; formation of new vehicular access; groundworks to create external seating and display areas; landscaping and drainage infrastructure and other associated works.	
<b>CASE OFFICER</b>	Mr Joe Baldwin	<b>APPLICANT</b>	Mr Dan Macken
<b>PARISH/TOWN</b>	Carsington	<b>AGENT</b>	Mr Nick Baker (Lichfields)
<b>WARD MEMBER(S)</b>	Cllr Janet Rose	<b>DETERMINATION TARGET</b>	30.11.2022
<b>REASON FOR DETERMINATION BY COMMITTEE</b>	Major application	<b>REASON FOR SITE VISIT (IF APPLICABLE)</b>	For Members to consider the impact of the development on the local environment

<b>MATERIAL PLANNING ISSUES</b>
<ul style="list-style-type: none"> <li>– The principle of the development</li> <li>– Sustainability of location</li> <li>– Impact on character and appearance of this part of the countryside and the local landscape</li> <li>– Impact on residential amenity</li> <li>– Impact on highway safety</li> <li>– Impact on biodiversity</li> </ul>

<b>RECOMMENDATION</b>
That the application be refused.

## 1.0 THE SITE AND SURROUNDINGS

- 1.1 The application relates to an existing public house, The Knockerdown Inn and the surrounding land. The site is located off the eastern side of the B5035, approximately 750m to the west of the Carsington Visitor Centre. On the opposite side of the B5035 there is a range of holiday cottages a wedding venue. The site is also located to the south of the CW Sellsors "Jewellery Centre of Excellence" which is currently under construction.
- 1.2 The site includes the Knockerdown Inn public house with play equipment to the south, car parking area to the north and a range of ancillary outbuilding within the adjacent fields, which had been erected in association with a historic camping/caravanning/glamping use on the fields to the east. The existing boundaries of the site comprise tree and hedgerow planting of various Carsington public footpath 8 runs across the south western corner of the site.



## 2.0 DETAILS OF THE APPLICATION

- 2.1 Planning permission is sought for the change of use of the existing public house on site and associated land to a mixed use development comprising coffee house, bar & restaurant and place of assembly & leisure including functions, event and display areas, and ancillary retail use. Permission is also sought for the erection of a new retail and coffee shop to the east of the existing public house. This would be of a mono-pitch roof construction with attached flat roof toilet block. The building would be clad in black treated, vertical timber.
- 2.3 A new track along the northern boundary of the site would provide access to an new crushed gravel "main car park" with 97 spaces including 6 with electric vehicle charging facilities and a new accessible car park (9 spaces) and staff car park (10 spaces) both of which would be surfaced with new asphalt. In addition, a terraced seating area would be constructed to the east of the new coffee shop and various areas of display parking would be created.
- 2.4 The proposals are set out in detail on the submitted plans received by the Local Planning Authority on 31/08/2022.

## 3.0 PLANNING POLICY AND LEGISLATIVE FRAMEWORK

1. Adopted Derbyshire Dales Local Plan (2017)
  - S1: Sustainable Development Principles
  - S2: Settlement Hierarchy
  - S4: Development in the Countryside
  - PD1: Design and Place Making
  - PD3: Biodiversity and the Natural Environment
  - PD5: Landscape Character
  - PD6: Trees, Hedgerows and Woodlands
  - PD7: Climate Change
  - PD8: Flood Risk Management and Water Quality
  - Hc15: Community Facilities and Services
  - HC19: Accessibility and Transport
  - HC21: Car Parking Standards
  - EC1: New and Existing Employment Development
  - EC8: Promoting Peak District Tourism and Culture
2. National Planning Policy Framework (2021)
  - National Planning Practice Guidance
  - Adopted Landscape Character and Design SPD (2018)
  - Adopted Climate Change SPD (2021)

## 4.0 RELEVANT PLANNING HISTORY:

1287/0832	Sign and lanterns	Granted	28/01/1988
0888/0577	Alterations to public house	Granted	20/09/1988
0397/0193	Display of illuminated and non-illuminated signs	Granted	15/05/1997
0391/0177	Temporary use for siting of caravans	Granted	17/04/1991
0697/0367	Extension to curtilage of public house and erection of play equipment	Granted	04/09/1997

0592/0417	Extensions and alterations, extension to car park and installation of gas tank	Granted	13/08/1992
00/10/0687	Cellar extension	Granted	23/11/2000
06/00607/FUL	Extension to public house	Granted with Conditions	13/12/2006
18/00973/CLEUD	Certificate of lawful existing use - Siting of residential caravan for staff accommodation	Refused	31/10/2018
19/00028/WREP	Certificate of lawful existing use - Siting of residential caravan for staff accommodation	Appeal Dismissed	18/10/2019

## 5.0 CONSULTATION RESPONSES

### Carsington and Hopton Parish Council

- 5.1 The National Planning Policy Framework indicates that planning policies should support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors. This includes supporting the provision and expansion of tourist facilities in appropriate locations. The parish council do not believe that this is an appropriate location. The proposed development has at its heart the motor vehicle. It is understood that the other venue run by the applicants in Warwickshire is close to car manufacturing sites and a major motorway. This site is close to a renowned beauty spot in an area which has built a reputation for tourism on the surrounding outstanding natural scenery. This development has no links to its immediate environment. It is felt that it would be better placed on an A road with links to motorways given that potentially it is a destination attracting huge numbers of visitors from afar. The Great British Car Journey on the A6 at Ambergate located in former industrial buildings is a good example of a more suitable and sustainable location for a vehicle focussed business such as this. There is the new café and retail facilities being built next door by local business CW Sellors and here is yet another development offering similar facilities although admittedly a completely different visitor experience. It is however, the nature of that visitor experience which is viewed as unsuitable for this area. It is understood that in accordance with planning policy that a development of this nature should be sustainably accessible by a range of public transport modes when it is poorly served by public transport in this location.

As a parish council we have been undertaking Speed Watch activities in the village itself as speeding is a known issue. It is felt that encouraging more visitors and specifically those which come by car or motorbike, which is the whole point of Caffeine & Machine, will only compound this issue. The applicants clearly have to deal with the anti-social behaviour of some of those attending their site at their other venue. They have run a "Don't be a d\*ck" campaign and installed cctv cameras along with ANPR on the entrance and exit in order to discourage bad behaviour. Whilst these measures show willing it is of course impossible for the applicants to have any control over motorists or motor bikers once they have actually left the site. It will then be down to the local police to tackle, at a time when resources are considerably stretched with often only one response vehicle on patrol covering a huge area. It feels inevitable that allowing a development of this nature will bring these anti-social elements into this area, particularly in the form of speeding and excessive noise from vehicles, which is totally at odds with the established tourism in the vicinity. This will also impact detrimentally on the amenity of those living close by.

The design of the new buildings together with the creation of hardstanding parking areas are also regarded as incompatible with the setting. It is seen as urbanising what is largely a



green field site with a traditional stone building in the public house itself. The new buildings do not blend in with their rural surroundings. The lighting scheme for the outside areas is undoubtedly far more invasive (in the name of safety) than that already used on site which was virtually non-existent. It appears that little or no consideration has been given for reducing light pollution, supporting the local environment or promoting sustainable development. Whilst images are provided of the proposed new buildings there do not appear to be any images showing the impact of the development visually from vantage points in the proximity, such as from footpaths and in particular, if it will impact on the views from Carsington Water. The Parish Council believe that the design of this development does nothing to promote local distinctiveness nor does it integrate effectively with its setting.

It is understood that the applicants have inherited the existing license which runs from 8am - 11pm and allows for live music both indoors and outdoors. Music played from the wedding venue at Shinningford and the annual outdoor cinema at Carsington is clearly audible from the villages themselves and also those outlying properties sited much closer. These events are rare though. There is extensive documentation attached to Licensing Act Forms outlining the anti-social behaviour suffered by the residents living close to the Applicants other site. It feels inevitable that if this development is approved, as it follows the blueprint of their original venue, that similar problems will be encountered here. Although the applicant's may have expressed their willingness to work with local people to address these issues it will simply be too late. This type of business unfortunately attracts elements who speed and deliberately exit the venue in an anti-social (and sometimes illegal manner). The Applicants only have control when they are on their property. The Knockerdown Inn was previously very much a family centred business with families arriving to camp and then using the facilities for the entire weekend on their doorstep which also saw many tourists walking up and down to the visitor centre. This greatly limited car movements on and off that site. It is anticipated that a similar paid for ticketed car parking system to that used in Warwickshire would be introduced here. This allows for parking in timed allocated slots leaving to many more traffic movements on and off the site. Previously the Knockerdown pub was quiet during the evenings and winter period with a busy holiday and summer season. This allowed some respite for locals however; Caffeine & Machine would appear to offer events throughout the calendar year which again it is anticipated will dramatically increase the overall number of vehicles. The Local Plan states that a development should have a safe access and should not generate traffic of a type or amount which cumulatively would cause severe impacts on the traffic network. The Parish Council believe that this proposal would create exactly that circumstance given its total reliance on motor vehicles and motorbikes and the timings of its car parking slots where all the visitors will exit at once.

Local Plan policy S4 states the permission will be given if the redevelopment of a previously developed site and or conversion of buildings for employment use provided that it is appropriate to its location and does not have an adverse impact on the character and appearance of the rural area. The Parish Council believe that having considered the design of the new buildings, materials used and impact of the hardscaping for car parking that the development will impact negatively. It is simply out of keeping. The Knockerdown Pub as it stands is very much a historic Inn built with local materials and in a style consistent to the area. The proposed development is more in keeping with an urban setting. The Local Plan further states that a new development should represent sustainable growth of tourism in sustainable locations where needs are not met by existing facilities. Again the Parish Council contend that this development is at odds with that policy in that there is already a new facility being built next door offering a café/restaurant and there are existing facilities at Carsington Water which may be negatively impacted by trade going elsewhere.

It is acknowledged that there is a shortage of staff nationally in hospitality. Recent figures from the Office for National Statistics show that the number of job vacancies in accommodation and food services had risen by 50,000 in the 3 months until the end of September 2022 compared with pre pandemic. There are local businesses already reducing

their opening hours due to an inability to recruit staff. The applicants state that 41 part time jobs will be created by their business. This is comparable to the jobs already lost when the new owners took over. If the Knockerdown reopened exactly as it was before closure it is reasonable to assume that the same number of jobs would be created as before (40-50 part time jobs). Any new facilities and car parking at this venue is not creating a net gain in employment but it is bringing a theme which is entirely inconsistent with the rural landscape, established rural tourism and has recognised anti-social elements. Sustainability is also an issue as it would be impossible given the local bus times for staff to use public transport to get to this site. The village pub already has staff travelling from as far as Chesterfield. It also appears that the jobs created can be summarised as low wage and low skill.

The Parish Council is struggling to reconcile this proposal with DDDC's commitments to "GO Green". This initiative showcases solutions to climate change and the biodiversity crisis. It encourages residents, businesses and visitors to reduce their carbon footprint. Protecting the Derbyshire Dales character includes to address, mitigate and adapt the effects of climate change on people, wildlife and places. The very nature of Caffeine & Machine's business which encourages and promotes motor vehicles and motorbikes is inconsistent with this aim. The strategic approach of DDDC is to mitigate the effects of climate change without affecting the quality and distinctiveness of the local environment by directing development to sustainable locations and promoting low carbon sustainable development. This is not such a location nor the Parish Council contends is this development doing anything other than increasing carbon emissions and cannot be therefore viewed as sustainable. Finally, as a Parish Council we ask ourselves what does an application such as this bring to the area? Our conclusion for the reasons outlined above is nothing. We also ask ourselves as to what this application will take away? In short, we believe this development if approved will have a serious negative impact upon the rural surroundings, existing tourism, carbon emissions and the amenity of local residents.

#### Local Highway Authority (Derbyshire County Council):

- 5.2 The proposals include the redevelopment of the existing public house into a bar/restaurant with coffee house, ancillary retail and assembly/leisure. The supporting Transport Statement (TS) demonstrates that trip levels are likely to reduce during the week when compared to the existing authorised uses on the site, with an increase shown at the weekend - equating to an average of between 3 and 10 two-way trips per hour. The TS concludes that the proposed development would have no material residual impact on the safe operation of the highway. The comments are made on the basis of the existing public house and onsite camping and accommodation facilities - I note that the premises are currently closed but assume that all previously consented activities on the land could be brought back into use with no specific approvals required.

It should be understood that, as a generality, the Highway Authority does not "agree" the contents of a Transport Statement or, inevitably concur with every detail therein. However providing it is considered that the conclusion is sound then it is not regarded as reasonable or warranted to require the applicant to devote resources to amending detail which would not vary the conclusion. In this case the Highway Authority does not consider that there is an evidence base to suggest that the conclusion, that the development would not have a significant adverse effect on capacity or safety of the local road network, is incorrect. Certainly, there is no data that would support a reason for refusal of planning permission on the basis that the development would result in 'severe' harm, with reference to Paragraph 109 of the National Planning Policy Framework.

The level of parking proposed is reasonable and with the internal layout and circulation route, it is unlikely that any overspill parking would extend to the B5035. However in view of the nature of the road, and as suggested by the applicant, the submission of a Car Park and Site Management Strategy should be sought - to include potential on-site overspill parking areas.

### *Site Access*

The existing access to the site is wide and accommodates vehicles entering and leaving the public house, as well as an adjacent field gate. Due to the position of the public house building and the narrow fronting highway margin exit visibility onto the B5035 is restricted. The proposals are introducing a second access point and reconfiguring the layout to provide a one-way system through the site. The new access (egress only) demonstrates appropriate levels of visibility based on recorded speeds and is designed to restrict entry - this should be reinforced with signage both at the entry and exits and within the site. It is assumed that access arrangements for the adjacent field will remain as existing.

### *Transport Sustainability*

The location of the site is somewhat remote and visitors are likely to be reliant on the private car. I am aware that the adjacent Jewellery visitor attraction was approved with no highway objections and works have commenced on site, however I would recommend that these proposals are supported by a Travel Plan to encourage alternative means of access to the site. A public footpath crosses the site and provides the opportunity to access an off-road route to Carsington Water. The path would need to be upgraded through the site to encourage its use by pedestrians and this should be highlighted in the proposed Travel Plan.

Accordingly subject to conditions being included on any consent granted, there are no highway objections to the proposals.

### Derbyshire Wildlife Trust

- 5.3 We have reviewed the Preliminary Ecological Appraisal (DJOGS Ltd., 2022). We have also visited the site and checked our Biological Records Database for any known features of biodiversity value or significance. We advise that currently sufficient information has not been submitted to enable the LPA to make a robust determination. We have set out our response below.

### *Reporting*

A Preliminary Ecological Appraisal has been submitted to date. Whilst the report is relatively well detailed, there are several areas where further work is advised: The PEA contains recommendations for further survey, which should be completed prior to determination and the report updated to an Ecological Impact Assessment (EclA), which includes details of confirmed biodiversity enhancement measures. Furthermore, no consultation has been undertaken with the Local Biological Records Centre or the Derbyshire Ornithological Society (DOS). We have checked the Records Centre database and do not consider that a consultation would alter the conclusions of the report, however given the proximity to Carsington Water Local Wildlife Site (LWS), we advise that DOS should be consulted for bird records to ensure a robust impact assessment is carried out. The impact assessment should also consider the effect of the venue in operation, as well as during construction. Currently, little detailed consideration has been given to the impacts of noise and lighting on local wildlife and it is not quite clear how impactful the venue is likely to be, if these impacts will vary seasonally etc.

### *Habitats*

The PEA states that the habitats affected by the development include amenity grassland and species-poor grazing pasture. No species lists are provided to support this assessment, however based on our site visit we advise that this appears accurate. More diverse marshy grassland is present in the far east of the site, which will remain unaffected by proposals. We advise that the opportunity should be taken to enhance onsite habitats, as per the Ecological Recommendations Plan (Ref.: 888 ERP 1). The retained grassland to the east of the new car park, which is currently mapped as semi-improved grassland, could be enhanced through appropriate management and potentially additional seeding of

wildflowers. This would help to compensate for the loss of the poor-quality grassland in the west of the site. Currently the eastern part of the site supports willow and silver birch planting and a wildlife pond and we consider that there are opportunities for further biodiversity enhancements, including gap planting of boundary hedgerows and new pond creation. There are currently no plans to remove the mature trees on site and impacts to hedgerows are limited and could be mitigated for. The LPA may wish to request the submission of a biodiversity metric to evidence net gain, however a good quality enhancement plan may be sufficient in this instance given the low value of the habitat impacted.

### Protected Species

The PEA concluded that the existing public house has 'low' potential to support roosting bats, however an internal inspection was not undertaken. A minimum of a single nocturnal bat emergence survey and an internal inspection is therefore required, if any works are proposed to the pub building. This survey should follow Good Practice Guidelines (Collins, 2016) and be completed during the optimal period of May to August (Inclusive). Any requirement for works to trees with bat roost potential should also be confirmed so that these could be included within the survey work. We are aware of proposals to construct a bat hibernaculum in the adjacent field to the north (close to the boundary) as part of a separate planning application (14/00796/FUL). No evidence of this structure could be seen over the boundary during our site visit and it does not appear that this has yet been constructed. We advise that the applicant / ecologist should investigate the adjacent proposals and any likely impacts to this feature should be assessed. The wildlife pond has been ruled out as suitable for GCN in the PEA due to its size. After visiting the site, we ran the pond through the Habitat Suitability Index (Oldham et al., 2000) and it achieved a score of 0.52 (below average suitability). This low score is largely influenced by its small size and the lack of other ponds within 1km, not separated by roads. Furthermore, the Record Centre does not hold and records of GCN within 500 m of the site. The pond will be retained, along with supporting terrestrial habitat, however the sheds, brash piles, former cultivation plots and compost bins immediately adjacent will be cleared. The PEA recommends Reasonable Avoidance Measures in relation to GCN, common amphibians and reptiles, which we support. These could be secure via a condition. We would caution the applicant that if GCN were found during supervised site clearance, there is risk of delays to the works. To reduce this level of risk, an eDNA sample could be taken from the pond for analysis between 15th April and 30th June in any year to provide further confidence that GCN are not present. Opportunities exist to enhance the retained habitat for amphibians and reptiles. Current lighting proposals include both up / down lighting fixtures, up-lighting of car park trees and the introduction of lighting closer to the wildlife pond and habitats in the east of the site. We advise that these types of lighting fixture are not appropriate in a sensitive location likely to be used by bats and other nocturnal wildlife, as well as birds associated with Carsington Water. Lighting proposals should be revised. The Trust have concerns over the impacts of proposals to breeding and wintering birds using Carsington Reservoir and the surrounding habitats, including noise and light. These impacts do not appear to have been assessed in any detail.

### Rights of Way Officer (Derbyshire County Council):

- 5.4 I can confirm that Public Footpath Carsington No 8 runs through the proposed development site and continues on to Hognaston Footpath No 40 adjacent to the site as shown on the attached plan. The Rights of Way Section has no objection to the proposals as it appears that the route will be ultimately unaffected by the proposed works. I should be grateful however if you would advise the applicant as follows: -
- The footpath must remain open, unobstructed and on its legal alignment as shown on the attached plan, this may differ from the path currently in use.
  - There should be no disturbance to the path surface without prior authorisation from the Rights of Way Section.
  - Consideration should be given to the safety of members of the public using the path during the works. A temporary closure of paths will be permitted on application to DCC where the path(s) remain unaffected on completion of the development.



- There should be no encroachment of the path, and no fencing should be installed without consulting the Rights of Way Section.
- The path width needs to be maintained at 2 metres. Any fencing needs to be installed outside of 1 metre from the precise centre of the legal line of the path.
- On aerial photography it appears that the used path is slightly different. Any established used path may likely have acquired rights and will also need to be protected.
- Finally, I would request that consideration is given to funding being provided to improve the paths linking to and surrounding the development which will receive increased use on completion of the development.

Lead Local Flood Authority (Derbyshire County Council)

5.5 No objections subject to conditions.

Derbyshire Constabulary

5.6 Thank you for referring this application for our attention. There are no objections to the development of this public house as proposed.

Peak and Northern Footpath Society

5.7 No objection provided that the full width of the legal route of Carsington FP8 remains open and unobstructed at all times. The development would lead to a greater use of this path, and its continuation Hognaston FP7, so the developer should improve this path so that it is suitable for use by walkers in ordinary clothes and shoes.

Derbyshire Dales Ramblers

5.8 Ramblers Derbyshire Dales Group has no objection providing that:

- i) Carsington FP 8 and Hognaston FP 40 remain unaffected at all times, including the path surface, both during and after any development
- ii) Any proposed works should not create ambiguity for navigation nor discourage use of the row by users
- iii) Consideration should be given to the safety of members of the public using the paths during the proposed works
- iv) any encroachment of the paths would need consultation with the DCC Rights of Way Team

## **6.0 REPRESENTATIONS RECEIVED**

6.1 A total of 135 representations have been received. 130 in objection (of which 13 are non-attributable) and 4 in support (of which 1 is non-attributable). Comments have also been received from Brassington Parish Council, Kniveton Parish Council, Bradbourne Parish Council, Hognaston Parish Council, Middleton Parish Council, Biggin Parish Council and Derbyshire Dales Climate Hub. A summary of the representations is outlined below:

### **Objections**

- Until the retirement of the previous owners the Inn was thriving.
- The change of use will completely change the character of the Knockdown.
- The proposal would result in significant increases in road traffic.
- The proposal is against the aims of the Peak District to reduce car travel.
- There are existing issues with motorbikes racing along the Carsington Dam.
- There is an existing restaurant and retail units at Carsington Water.
- Other pubs in the vicinity have been renovated sympathetically.
- The development is not commensurate with the rural nature of this area.
- Ramblers, horse riders and cyclists who use surrounding roads would be put at risk.
- An additional access onto the highway would be dangerous.

- The development cannot be considered sustainable.
- The development will increase traffic and litter through Hognaston.
- There are existing speeding issues along Dam Road.
- The development will result in a significant increase in noise due to the type of vehicles attracted to the development.
- Whilst not designated the landscape is undoubtedly of outstanding natural beauty.
- The development would result in harm to wildlife.
- Local farmers are being priced out of buying the land due to speculative land values.
- The nature of the development could be successful anywhere, it does not need to be located in the countryside.
- Hognaston is in need of traffic calming measures.
- Dam Road needs a lower speed restriction.
- The development would result in increased light pollution in the area.
- There is no shortage of jobs in the area. Any jobs created would be taken by residents in Ashbourne and Wirksworth which would require a car to access.
- Concerns relating to other nearby village pubs which would be impacted by an overdeveloped Knockerdown.
- Request conditions to restrict speeds along sections of the B5035.
- Concerns regarding where vehicles will park/wait whilst waiting for bookings at the site.
- There were issues in attracting staff to the Knockerdown previously.
- Concerns regarding noise from late night events.
- The company will have no control over the noise from vehicles after they leave the site.
- The development requires a booking which will prevent holiday makers walking to the local pub.
- The development does not accord with the District Councils objective of Net Zero.
- The submitted wildlife survey are no sufficient.
- The development will result in an increase in vehicle emissions in the area.
- Encouraging driving for fun is wrong in the midst of a climate crisis.
- The development has no historic, cultural or environmental connection with the local area.
- The development is inappropriate for a rural area and is contrary to policy S4 of the Local Plan and Section 84 of the NPPF.
- The assessment of highways is based on 3-10 double car journeys per hour. The company's existing site attracts over 1000 visitors some days.
- There is very limited public transport to the area which will see a large increase in visitors due to the development and the neighbouring Sellors development.
- The development would set a precedent for future development in the rural area.
- People arriving on foot to the site will be turned away.
- Farmers are finding it difficult to move animals across the B5035 due to the increase in visitors to the area.
- There are no renewable energy proposals as part of the development.
- I would consider taking legal action against the planning authority if this application is approved.
- Previous applications for accommodation have been rejected in the past due to sustainability issues.

#### Non-attributable objections:

- Concerns regarding road safety
- Concerns regarding increased noise
- Concerns regarding impact on local wildlife
- Concerns regarding light pollution
- Concerns regarding air pollution.
- The development would harm character and appearance of the area.
- The development would cause nuisance to local farmers.

- The design of the building is obtrusive.
- The development would create a nuisance to Carsington Reservoir visitors

#### Support

- We are located opposite the site, the proposals will complement our holiday cottage and venue business.
- The ticketed events hosted by the company are excellent, well organised and safe.
- We welcome the proposals to enhance and invest in the local area.
- The events would end at 10:00pm which is acceptable.
- Hopefully this will slow down the speeding motorbikes.
- The development will boost tourism.
- In combination with Sellors Jewellers, the development will create jobs for the area.

#### Non attributable support

- The staff actively discourage anti-social behaviour.
- The proposed site would add to the area added business to local companies and community engagement projects

#### Brassington Parish Council

Brassington Parish Council were not sent a consultation letter regarding the 'Caffeine and Machine' proposition at the Knockerdown site, but as a nearby village which will be affected by the project, the Council wish to make the following observations.

- The proposed site covers an area which is too large to be absorbed into what is actually a Nature Reserve and, at present, a recreational area enjoyed by very many people.
- The increase in traffic and access onto what is a busy road with fast moving vehicles is dangerous, particularly as the turn into Brassington is almost immediately opposite.
- Surrounding villages will obviously see an increase in high performance cars and bikes using roads which are unsuitable, resulting in speed noise and increased emissions.
- Many concerns, including those mentioned, have been expressed by Brassington villagers.

The overall opinion was that the proposed development is in an unsuitable place and could possibly set a precedent for future enterprises

#### Kniveton Parish Council:

Kniveton Parish Council were not sent a consultation letter regarding the above planning application, but as a nearby village situated on a direct route to the location, the Council wish to make the following observations and objections.

- Kniveton Parish Council and the village residents are very concerned about the noise and safety implications of large numbers of high-performance vehicles passing through the village, which already has a large volume of traffic passing through. If this development takes place, the problems caused by these vehicles, both during the week and at weekends, will greatly increase.
- There are serious concerns about safety for walkers, horse riders and cyclists. While traffic may be monitored while at the events, there will be no control over vehicles once they leave the site.
- High performance cars and motorcycles driving on country roads which are unfamiliar to them will present added danger and disturbance to those who have chosen to live in what should be peaceful, rural villages.
- The size of the proposal is entirely overwhelming and cannot be absorbed into what is actually a nature reserve and a recreational area enjoyed by very many people including families with young children.
- In a time when Climate Change is a major issue, should extra carbon emissions be acceptable? This location is not near to a main A road or motorway, which will involve unnecessary extra travel for vehicles.

- The comments made are based on viewing of the Ettington site as well as considerable review of what is proposed.

Local people are extremely concerned that the site is too large and in an unsuitable location. It could also set a precedent for future enterprises

#### Bradbourne Town Council:

While this planning application site is not within Bradbourne and Ballidon Parish Council boundaries, some residents have raised concerns about its potential impact. The Parish Council would like to highlight the following specific issues raised:

**Traffic and road safety:** Increase in traffic through Bradbourne on Brackendale Lane and Mill Lane (between the B5053 and B5056). Brackendale Lane is narrow, twisty and undulating, with several blind bends, therefore, there is a high risk of collisions particularly for traffic unfamiliar with the road. Brackendale Lane and Mill Lane are part of the National Cycle Network (Route 54) and therefore popular with both cyclists and walkers. In addition, there is a livery stable on Brackendale Lane and the road is used daily by horse riders. These more vulnerable road users could be at greater risk from an increase in the volume and speed of traffic using the roads through Bradbourne. There could be a higher risk of collisions at the high-risk intersection of Brackendale Lane, Hognaston village, Carsington bypass and Knockerdown (B5035).

**Noise and pollution:** The types of cars and motorbikes going to and from Caffeine and Machine are likely to be louder and more polluting than average traffic currently using the local roads.

#### Hognaston Parish Council:

Although the application site does not lie within the Hognaston parish boundary, councillors and parishioners believe that the plans will have a detrimental impact on residents, our communities and the wider countryside setting that we live in.

Having carefully listened to and considered the views of residents, Hognaston Parish Council objects to the application for the following reasons:

#### **Speeding and Highways Concerns**

- The proposed development will significantly increase the number of visitors and vehicles into the area. With plans for 150 parking spaces, there will be a substantial increase in traffic volumes and risks to road safety.
- Speeding along the Dam Road, the B5035, through Hognaston and all nearby villages, is an existing and serious problem. The type of venue proposed will attract car and motorbike enthusiasts and only intensify the hazards local people and pedestrians already face from speeding vehicles.
- We are concerned for pedestrian safety along the B5035 where numerous crossings are used by walkers and cyclist. There have been endless reports of near misses at these crossings and more traffic will only increase the risks to walkers and cyclists.
- Over the years, there have been a number of highways-related fatalities on the B5035 and nearby roads. Rising numbers of speeding cars and motorbikes will only increase the dangers on our local roads.
- The fact that some footpaths in the parish are only accessible and connect by walking along roads is a further concern if traffic volumes go up.

Urbanisation and commercialisation of the local area

- Hognaston Parish Council and people living in the local area are extremely concerned about the creeping urbanisation and development of the open countryside around Hognaston and Carsington. This development will only exacerbate this.
- The proposed development would see further commercial pressure on an area of natural beauty and the countryside. With limited services and facilities, any increase in visitors and traffic will have a profound and detrimental impact on local infrastructure and the highway network.
- Overdevelopment is resulting in the area losing its identity as a tranquil, rural setting and place to live.
- Residents are concerned that the proposed venue will result in increased noise from evening and night-time events and entertainment. Furthermore, there will be an increase in light pollution in the open countryside. Residents already living in nearby villages should not be subjected to this.
- If permission were to be granted, an application of this type, size and scale will only set a precedent for future commercial development in the area. We believe that Carsington Reservoir already provides ample car parking, eateries, leisure facilities and conference rooms. There is no demand for more in the area.

The design and appearance of the proposed development

- The design of the proposed new builds is not aesthetically pleasing nor is it in-keeping with a countryside setting.
- The appearance and scale of the proposed development does not compliment the wider Derbyshire Dales landscape.
- The Parish Council is concerned that the development could be extended further, should permission be granted. We believe that this could be the 'thin end of the wedge'.
- There will be a loss of soak-away ground if it is replaced with a hardstanding surface. This could lead to localised flooding on nearby roads, as well as agricultural and camping fields.

#### Middleton Parish Council:

This application (DDDC 22/01011) was discussed at a meeting of the Parish Council held on 14th November 2022 where it was resolved to object to the proposal on the grounds that it: will increase traffic and noise both in the locality of the venue and on the roads serving it, is felt there are safety issues regarding access and egress from the site is not in keeping with the surroundings, and in particular with the quiet enjoyment offered by the nearby Carsington Water and its environs.

#### Biggin Parish Council:

I am writing to yourself and the planning department regarding the above planning application to voice our strong objection.

As Chair of Biggin Parish Meeting, representing residents across the Biggin parish I also write to show our full support to Carsington and Hopton Parish council and all the other parish councils and meetings and their residents from villages around that this application will affect.



In addition to the noise, light, increased traffic, dangerous new entrance, effect on wildlife, the effect on local businesses and residents, the absolutely detrimental effect this business would have on the character of the rural countryside is unthinkable.

It is of great concern what is happening to the rural countryside in the Derbyshire dales, increased development particularly in Hulland ward and Brailsford. Historic Georgian buildings being allowed to be demolished in rural hamlets by developers and replaced with industrial out of character properties, developments resembling light boxes from over scaled glass developments being granted permission. Developments that become eye sores for local residents who live in the area and have a massive impact on their lives and too often these properties become holiday homes or rental properties.

We question the planning departments policies and decisions and the planning committee also. Councils and residents feel it is “pointless participation “and “there is no democracy “that we are not listened to and we live in these areas, many farmers and residents of farming families just trying to live a rural life of farming but desperately saddened and worried seeing the increased development and infiltration of urbanisation, it feels that developers have finally found our most beautiful secret and are bent on destroying it for their own financial gain.

There will be a day where it will be realised it was a mistake to have developed the countryside in this way, already some development in the area if only the planning department had worked with local councils on design and materials these developments could be far less offensive and intrusive .

Communities need the planning department to protect our rural countryside.

We also strongly question the Highways department’s decisions on planning applications, as they seem to pass anything. At a recent committee meeting it was clear even the committee were disgraced with highway’s approval of a most dangerous entrance to a new housing development from an existing development in Hulland ward.

The committee were further disgraced and questioned why the planning department had not overruled the highways departments’ decision as the planning department have the power to do so.

It appears that Derbyshire dales planning departments’ local plan can be overruled, it stands for nothing, and further development is to continue in certain areas of the Derbyshire dales, even if local targets have been met.

The countryside has become a desirable place to live and visit, escalated further by the Covid Pandemic and the continued support the building industry has had it is now resulting in mass urbanisation/industrialisation.

When will it stop!

As a knock on effect further increased traffic resulting in increased littering, crime, air pollution and accidents. Roads are becoming unsafe for cyclists and horse riders.

The business behind this planning application would further more increase air pollution. We have a world climate crisis and are aiming to be fossil free to help the planet yet here we have a business encouraging the exact opposite thing we are trying to reduce and remove.

Derbyshire Dales Climate Hub:

Derbyshire Dales Climate Hub, a local campaign group for residents of Derbyshire Dales who are passionate about the fight against climate change, wishes to register its objection to the above application.

- First and foremost, we do not believe that such a development is compatible with the District Council's own plans to address climate change. In 2019 Derbyshire Dales District Council declared a Climate Emergency and committed to making its operations 'net zero' carbon by 2030.
- While successful funding bids are enabling Council buildings and vehicle fleets to become more climate friendly and the Council continues to promote carbon reduction measures to enable the local population to limit its own emissions, perhaps it would not sit well to be seen to enable developments such as this.
- With regard to the statement above, the Clearlead consultation which was commissioned to help the Council understand how to reduce its own emissions, contains a section on p.33 which talks about community leadership: 'The Council could consider using its influence to facilitate emissions reductions across the District. Three key emissions areas are domestic emissions and housing, transport, and commerce and industry.' Allowing the Knockerdown development would seem to be at odds with such leadership objectives.
- We understand that developing the tourist sector is important for the District. The DDDC post-covid Economic Recovery Plan cites 'clean growth' fitting with the Council's Climate Change agenda, but perhaps visitors in fast cars might not match this 'clean growth' criteria.
- The development is designed to invite a very large number of vehicles, performance vehicles and motorbikes in particular, into a calm, quiet and truly beautiful area of our County, which is noted and loved for its fauna and flora. Carsington Water already attracts plenty of visitors as it is and we believe that an increase in visitor numbers to the area, namely visitors in noisy vehicles, would not be in keeping with the objectives of Carsington Water. As we understand it, Carsington Water aims to attract lovers of the countryside and wildlife, especially birdwatchers.
- Vehicles create danger to pedestrians, cyclists, horse riders and the natural world. The roads around the site are completely unsuitable for fast cars and motorbikes. We suggest it might be difficult to manage and would therefore subsequently put extra strain on local (traffic) police, particularly at weekends.
- Vehicles add to air pollution and vehicles create noise pollution.
- The 'display' area of the proposed development would presumably be for display of high performance vehicles, in addition to any vehicles which would be parked on the car park. This is all about cars and motorbikes. The area is simply not suitable.
- We note that the design is providing only 6 charging points for electric vehicles. Bearing in mind the planet is facing a climate and ecological emergency, we would have expected developers to understand that, with our Government's plans to phase out fossil fuel cars by 2030, a greater number of charging points may be necessary. However, the mere idea that a development might be set up specifically to attract drivers and their vehicles at this stage of the game in 2022, as the planet moves ever closer to those crucial tipping points, is quite bizarre to those of us in the climate movement.
- In a similar vein, we have checked the designs and notice there is no plan to put solar panels on the (metal) roof nor a plan to build in a heat pump to limit carbon emissions.
- The idea of a Travel Plan, as suggested by DCC Highways in their comment, may not be welcome or understood by a company whose sole purpose would be to promote vehicular use by individuals.
- We have been very supportive of efforts made by DDDC in recent years with regard to climate issues. The Council has been pro-active and we therefore find it hard to see how this development ties in with the Council's aims and objectives regarding sustainable development.
- We support all the comments made by Carsington and Hopton Parish Council and the fear expressed by residents that this application does not fit the location. In addition we understand that Caffeine and Machine is a members-only club meaning the facility may not be available to locals, although that is unclear.

Finally, to quote Antonio Guterres, UN General Secretary, during a speech at Cop 27 on 7 November '22, “Greenhouse gas emissions keep growing, global temperatures keep rising and our planet is fast approaching tipping points that will make climate chaos irreversible.” Let's do what we can in this corner of Derbyshire to limit carbon emissions and help fight this fight for future generations.

## **7.0 OFFICER APPRAISAL**

- 7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission are determined in accordance with the development plan unless material considerations indicate otherwise. The development plan for the purposes of the Act is the Adopted Derbyshire Dales Local Plan (2017) and supplementary planning documents cited in the policy section of this report. The National Planning Policy Framework (2021) and guidance are also a material considerations in respect of this application.
- 7.2 Having regard to the above and consultation responses and representations received, the main issues to assess are:
- The principle of the development
  - Sustainability of location
  - Impact on character and appearance of this part of the countryside and the local landscape
  - Impact on residential amenity
  - Impact on highway safety
  - Impact on biodiversity

### Principle of the Development

- 7.3 The application site is located outside of any settlement boundary defined by policy S2 (Settlement Hierarchy) and as a result, the principle of development should be assessed against policy S4 (Development in the Countryside) of the Adopted Derbyshire Dales Local Plan (2017).
- 7.4 Policy S4 outlines a number of types of development which would be acceptable in countryside location. Of most relevance to this particular case, policy S4 states that planning permission will be granted for development where:
- a) It comprises the redevelopment of a previously developed site and/or conversion or extension of existing buildings for employment use provided it is appropriate to its location and does not have an adverse impact on the character and appearance of the rural area.
  - b) It represents the sustainable growth of tourism or other rural based enterprises in sustainable locations where identified needs are not met by existing facilities
  - k) It preserves and/or enhances the character, appearance and local distinctiveness of the landscape and landscape setting of the Peak District National Park;
  - m) It does not lead to excessive encroachment or expansion of development away from the original buildings.
- 7.5 The development proposal would involve the redevelopment and intensification of the existing site for a mixed use development comprising a range of employment uses. Policy EC1 (New and Existing Employment Development) states that “The District Council will support proposals for new or expansion of existing business or industrial development in sustainable locations. Consideration therefore needs to be given to the appropriateness of the development in location terms.

- 7.6 Although the development involves the change of use of the Public House, the supporting documentation indicates the public house offer to the community would remain. With the other additional facilities to be provided it is not considered that the development would be in conflict with Policy HC15.

#### Sustainability of location

- 7.7 Policies in the development plan seek to provide new and intensification of existing employment land in locations that contribute to the achievement of sustainable development. The objective of the policies, as set out in Policy S1 'sustainable development principles' is to provide a range of economic developments that provide employment opportunities suitable for local people in environmentally, socially and economically sustainable locations to reduce the need to travel. Whilst it is acknowledged that the nature of the mixed use is for car enthusiast, there does not appear to be any suitable alternative to the private motor vehicle for visitors to the site in this case, including those employed, making use of the conferencing facility and those not wishing to showcase vehicles, having regard to the scale and nature of the mixed use proposed. There is an extremely limited bus service which serves the nearby Carsington Water Visitor Centre which is approximately a 15 minute walk from the application site.

- 7.8 An inspector addressed the sustainability of a similar nearby location, albeit to the western side of the Carsington Water Visitor Centre in a recent appeal decision (APP/PI045/VV/22/3298107). Whilst the appeal application related to the provision of holiday accommodation, the assessment of the sustainability of the location is considered to remain relevant. The inspector stated that:

"I find that the services provided at the visitor centre would not be sufficient to meet the likely needs of future guests including access to evening hospitality or a food shop to support home cooking. As such, and given there is only one attraction nearby, guests would regularly need to travel further afield to reach services, facilities, and attractions. Given the distance involved, and that the roads are fast, unlit and without pavements, it would not be realistic for future occupiers to walk or cycle to more distant settlements for the purposes of buying food, eating out or other tourist attractions".

"Although the appellant has brought my attention to a bus route which passes near the site, it is not clear where the closest bus stop is. Moreover, the number of bus journeys are limited, restricting the options for future guests. This is especially so on weekends, which I find to likely be a popular time for guests, as the submissions do not refer to any weekend buses. Future guests would therefore primarily be reliant on private motor vehicles".

- 7.9 The remote location of the site and lack of infrastructure for employees and visitors to be able to access it by foot, cycle or public transport is such that the proposed change and intensification of use would constitute an environmentally unsustainable form of development in the countryside that would be contrary to Policies S1, S4 and EC1 of the Adopted Derbyshire Dales Local Plan (2017) and guidance contained within the National Planning Policy Framework (2021).
- 7.10 With regard to part k) and m) of policy S4, these relate primarily to the impact of the development on the character and appearance of the site and its setting. This will be assessed in greater detail below.

#### Impact on character and appearance of this part of the countryside and the local landscape

- 7.11 A key consideration in respect of this application is the impact of the development on the local landscape and character of this part of the countryside. Policy S1 (Sustainable Development Principles) of the Adopted Derbyshire Dales Local Plan (2017) advises that

development will conserve and where possible enhance the natural and historic environment, including settlements within the plan area. Policy PD1 (Design and Place Making) requires all development to be of high quality design that respects the character, identity and context of the Derbyshire Dale's townscapes and landscapes. Policy PD5 (Landscape Character) deals specifically with landscape character and advises that development that would harm or be detrimental to the character of the local and wider landscape or the setting of a settlement will be resisted.

- 7.12 As set out above, the site is located outside of a defined settlement boundary, in an area of open countryside. Whilst there is an existing building on site which would be utilised as part of the new development, the proposals include a range of other developments including the construction of a new coffee shop/retail unit, landscaping works and the formation of a large car park with vehicles display areas.
- 7.13 The submitted Landscape Appraisal concludes that "subject to additional scoping of visual impact, construction management and drainage and exterior lighting design detail" the development will have a "negligible adverse and beneficial impact on the landscape services and visual amenity of the area".
- 7.14 Officers do not agree with this conclusion and consider that nature and amount of additional development on site would have a more significant, encroaching and urbanising impact on the existing rural character of the surrounding area. The development involves the construction of an additional building, which is of contemporary design and appearance that differs from the more traditional appearance of the existing public house and significant landscaping to the east of the existing building. Whilst the submitted appraisal considers that the existing permitted use as a caravan site would have some harmful impact on the landscape it is considered that the erection of a permanent structure of the scale proposed would have a much more significant impact than the temporary, seasonal siting of caravans throughout the year
- 7.15 There are also significant concerns with the siting and amount of hard surfacing proposed. The surrounding area is rural in character due to the grassland which surrounds the existing public house. The introduction of the extensive crushed gravel to the "main car park" and new asphalt to the staff car park and display areas is considered to result in a significant urbanising effect that would be incongruous in this context.
- 7.16 There are immediate views of the site from the public highways and public right of way throughout the site along with more medium and long distance views which are identified within the submitted landscape appraisal.
- 7.17 Overall it is considered that the proposed development would have a harmful impact on the character and appearance of this part of the countryside and local landscape, contrary to policies S1, S4, PD1 and PD5 of the Adopted Derbyshire Dales Local Plan (2017).

Impact on highway safety:

- 7.18 A large number of concerns have been raised by Local Residents with regard to the impact of the development on highway safety. The concerns relate to both the introduction of a new access point off the B5035 and due to the increase in number and type of vehicle traffic which will be attracted to the area due to the nature of the proposed development.
- 7.19 Policy S4 (Development in the Countryside) requires states that planning permission will be granted for development where "it will have a safe access and will not generate traffic of a type or amount which cumulatively would cause severe impacts on the transport network, or require improvements or alterations to rural roads which could be detrimental to their



character". Policy HC19 (Accessibility and Transport) further seeks to ensure that "development can be safely accessed in a sustainable manner".

- 7.20 The application has been submitted alongside a transport statement (DTA, 2022). Comments have been received from the Local Highway Authority having regard to the submitted plans and transport survey. Within the consultation response received it is advised that "as a generality, the Highway Authority does not "agree" the contents of a Transport Statement or, inevitably concur with every detail therein". However it is concluded that the development, subject to conditions, would not have a significant adverse impact on capacity or safety of the local road network. Similarly, it is advised that the level of car parking available on site would be sufficient for the proposed level of development being sought.
- 7.21 Whilst the concerns of local residents are acknowledged, the Local Highway Authority do not deem the impact of development to be significant on the safety of highway users and the wider road network such that a recommendation of refusal on highway grounds could be sustained at appeal. As a result, the development is considered to be in accordance with policy S4, HC19 and HC21 of the Adopted Derbyshire Dales Local Plan (2017).

Impact on residential amenity:

- 7.22 Policy PD1 (Design and Place Making) of the Adopted Derbyshire Dales Local Plan (2017) requires development proposals to achieve a satisfactory relationship with adjacent development and not cause unacceptable effects by reason of visual intrusion, overlooking, shadowing, overbearing effect, noise, light pollution or other adverse impacts on local character and amenity.
- 7.23 Due to the isolated location of the site, there is not considered to be any overlooking or overshadowing caused by the new structure to be erected on site. The main concerns raised by Local Residents relate to noise and light pollution from the development.
- 7.24 The proposed external lighting is set out within section 4.4 of the submitted design and access statement which outlines that the lighting scheme seeks to minimise direct upward light in an attempt to reduce light pollution from the site. The lighting proposed is largely low level bollards within the car parking area with additional lighting of pedestrian steps and low level lighting within the landscape. If this was deemed to be excessive, the District Council could include conditions limiting the time or luminance of the lighting proposed to mitigate any significant light pollution created.
- 7.25 With regard to noise pollution, significant concerns have been raised due to the nature of the business encouraging various types of cars for display and the potential for associated noise from such vehicles, there are also concerns regarding the events/functions carried out on site and associated noise/music. Planning conditions could again be attached if noise from events were a concern in later hours, there are also environmental health regulations which need to be complied with. With regard to the noise from vehicles on site, it is considered that in this case, planning permission is sought largely for the change of use of a public house and associated land to a mixed use comprising coffee house, bar & restaurant, place of assembly & leisure and the erection of a retail and coffee shop, all with additional associated car parking. There is no reference within this description to the specific business type which is proposed at this moment in time. The District Council cannot control the vehicles which currently attend the site and similarly it would not be possible to have such control following any change of use of the application. The District Council cannot assume that vehicles would be leaving the site in a loud and unsafe manner as has been suggested in the representation received and if this were the case, it would be a matter for the police and/or Environmental Health with regard to any noise nuisance arising.

7.26 Overall, the application for the change of use of the pub, erection of a new retail and coffee unit and associated development are considered to retain a satisfactory relationship with surrounding developments and residential properties or could be controlled via condition to achieve such a relationship. The development is therefore considered to remain in accordance with policy PD1 of the Adopted Derbyshire Dales Local Plan (2017).

Impact on biodiversity:

7.27 Concerns have been raised by local residents with regard to the impact of the proposed development on the habitat of local wildlife on site. The development area does not form part of any internationally or nationally designated site.

7.28 Policy PD3 (Biodiversity and the Natural Environment) seeks to protect, manage and where possible enhance biodiversity by ensuring that development will not result in harm. Development will not be permitted which directly or indirectly results in significant harm to biodiversity interest unless it can be demonstrated that there is no appropriate alternative site available, statutory and regulatory requirements have been satisfied and appropriate conservation and mitigation measures are provided.

7.29 The applicants have provided a Preliminary Ecological Appraisal (DJOGS Ltd, 2022) which has been considered in the formal consultation response from Derbyshire Wildlife Trust. It is acknowledged that the report is well detailed however, the assessment states that further information is required in a number of areas.

7.30 Firstly, the preliminary ecological assessment states that further surveys are required and that the report be updated to an Ecological Impact Assessment which includes biodiversity enhancement measures. The assessment also concludes that the existing public house has a 'low' potential to support roosting bats however no internal inspection has been undertaken. The response received from Derbyshire Wildlife Trust sets out that a minimum of a bat emergence survey and an internal inspection should be carried out prior to any works to this building. There are also concerns with regard to the level of noise generated on site and the impact of the proposed external lighting on nearby bat and bird populations.

7.31 Based on the above, insufficient information has been submitted in order for the Local Planning Authority to be satisfied that the development would not result in any adverse impacts on protected species and biodiversity. As submitted, it is therefore considered that the development would not comply with policy PD3 of the Adopted Derbyshire Dales Local Plan (2017).

Conclusion:

7.32 Whilst there is support contained within Adopted Derbyshire Dales Local Plan (2017) policies and national planning policy for the intensification and more efficient use of existing sites in appropriate locations, the remote countryside location of the site and lack of infrastructure for employees and visitors to be able to access it by foot, cycle or public transport is such that the proposed change and intensification of use would constitute an environmentally unsustainable form of development in this case. Furthermore the siting, scale and nature of the new building and hardstanding areas would have a significant urbanising effect that would fail to respect the character, identity and context of this part of the countryside and local landscape contrary to the requirements of Policies S1, S4, PD1 and PD5 of the Adopted Derbyshire Dales Local Plan (2017). It is recommended that the application be refused for these reasons and the lack of information in relation to the implications of the development on protected species and biodiversity.

## **8.0 RECOMMENDATION**

That planning permission be refused for the following reasons:

1. The remote location of the site and lack of infrastructure for employees and visitors to be able to access it by foot, cycle or public transport is such that the proposed change and intensification of use would constitute an environmentally unsustainable form of development in the countryside that would be contrary to Policies S1, S4 and EC1 of the Adopted Derbyshire Dales Local Plan (2017) and guidance contained within the National Planning Policy Framework (2021).
2. The siting, scale and nature of the new building and hardstanding areas would have a significant urbanising effect that would fail to respect the character, identity and context of this part of the countryside and local landscape contrary to the requirements of Policies S1, S4, PD1 and PD5 of the Adopted Derbyshire Dales Local Plan (2017).
3. Insufficient information has been submitted in order for the Local Planning Authority to be satisfied that the development would not result in any adverse impacts on protected species and biodiversity. As submitted, it is therefore considered that the development would not comply with policy PD3 of the Adopted Derbyshire Dales Local Plan (2017).

## **9.0 NOTES TO APPLICANT:**

The Local Planning Authority considered the merits of the submitted application and judged that there was no prospect of resolving the fundamental planning problems with it through negotiation. On this basis the requirement to engage in a positive and proactive manner was considered to be best served by the Local Planning Authority issuing a decision on the application at the earliest opportunity and thereby allowing the applicant to exercise their right to appeal.

The Town and Country Planning (Fees for Applications and Deemed Applications, Requests and Site Visits) (England) Regulations 2012 (SI 2012/2920) stipulate that a fee will henceforth be payable where a written request is received in accordance with Article 30 of the Town and Country Planning (Development Management Procedure) Order 2010. Where written confirmation is required that one or more Conditions imposed on the same permission have been complied with, the fee chargeable by the Authority is £97 per request. The fee must be paid when the request is made and cannot be required retrospectively. Further advice in regard to these provisions is contained in DCLG Circular 04/2008.

This decision notice relates to the following documents received by the Local Planning Authority on 31/08/2022:

Covering Letter

Site Location Plan

Block Plan

Existing Site Layout Plan

Proposed Site Layout Plan

Proposed Site Plan and External Lighting

Proposed Site Plan and Landscaping

Proposed Site Plan and Proposed Levels

Proposed Full Site Plan

Existing Site Elevations

Proposed Site Elevations

Existing Floor Plan

Proposed Floor Plan

Roof Plan as Existing

Roof Plan as Proposed

Existing Site Sections

Proposed Site Sections

Proposed Site Render Visuals

Proposed Site Render Visuals – Night  
Arboricultural Impact Assessment  
Drainage Strategy and Flood Risk Assessment  
Economic Benefits Assessment  
Landscape Appraisal  
Planning and Sustainability Statement  
Transport Plan  
Design and Access Statement  
Archaeological Assessment  
Ecological Survey