



Planning Committee 10th May 2022

APPLICATION NUMBER		21/01336/FUL	
SITE ADDRESS:		Harboro Rocks Clay Shoot, Manystones Lane, Brassington	
DESCRIPTION OF DEVELOPMENT		Change of use from agriculture to mixed agriculture and clay shooting ground (retrospective)	
CASE OFFICER	Mr. G. A. Griffiths	APPLICANT	A Newton
PARISH	Brassington	AGENT	Roger Yarwood Planning Consultant Ltd.
WARD MEMBERS	Cllr. R. FitzHerbert Cllr. D. Murphy	DETERMINATION TARGET	15 th March 2022
REASON FOR DETERMINATION BY COMMITTEE	Major Application and the number of representations	REASON FOR SITE VISIT (IF APPLICABLE)	To assess the proposals in their context

MATERIAL PLANNING ISSUES	
	<ul style="list-style-type: none">• Policy principle• Impact on amenity• Impact on the character and appearance of the area• Impact on Scheduled Ancient Monument• Highway safety• Impact of vehicular traffic on public rights of way• Drainage and flood risk• Ecology

RECOMMENDATION
That planning permission be granted subject to conditions

1. THE SITE AND SURROUNDINGS

- 1.1 The site is agricultural land set to the north of the High Peak Trail and which rises up to Harboro Rocks to the north. To the west lies Hoben International Limited industrial site. The site is accessed off Manystones Lane along what is also a public footpath, across the High Peak Trail and along part of the site to a field gate inside of which is the shooting site. The site contains a building and several structures used for the purposes of clay pigeon shooting.
- 1.2 Harboro Rocks contains a Scheduled Ancient Monument (SAM) and is covered by a Local Wildlife Site (LWS) designation and the application site lies within a Regionally Important Geological Site (RIGS).





2. DETAILS OF THE APPLICATION

- 2.1 Full planning permission is sought for clay pigeon shooting to operate at the site for some 215 days throughout the year as set out in the table below, well beyond that currently possible as permitted development for 28 days in the year. Harboro Rocks Clay Pigeon Shoot (HRCS) is currently operating beyond the permitted days.
- 2.2 The applicant advises that the Clay Pigeon Shooting Association (CPSA) has over 1054 members in Derbyshire, being one of the largest County Memberships. Harboro Rocks Clay Shooting club (HRCS) has 95 club members which is growing each shoot. The applicant advises that both members and non-members have expressed, through verbal requests to HRCS, that increased opportunities to shoot on both weekdays and weekends is something that they are keen to do and to have, so they avoid having to travel long distances to shoot, and which this application seeks to facilitate.
- 2.3 It is advised that HRCS is one of only a handful of grounds that are affiliated with the Clay Pigeon Shooting Association (CPSA) in Derbyshire, and also has a broader regional and national appeal. The applicant advises that the only one other ground, approximately 40 minutes' drive away, is open regularly during the week and weekends which leaves a large gap in local provision for this type of facility.
- 2.4 It is advised that HRCS currently employ 2 full time personnel (the applicant and his wife), 9 part-time staff and 4 self-employed APSI Qualified instructors. It is advised that, if permission is granted for the planning application, these jobs would be secured and there is the potential that staff would increase by an additional 3 part-time positions and 2 full time.
- 2.5 The applicant considers that the positive measures that arise out of the proposals include:

- the facility provides a safe outdoor environment for sport and recreational activities which are important for people's health and well-being;
- the proposed use and associated paraphernalia in essence do not harm the characteristics of the countryside
- the site is in a sustainable location, considering the need for a rural location being close to several towns and villages for easy access to services and facilities (Brassington – 1.3 miles, Wirksworth – 3.1 miles, Cromford – 4.2 miles, Matlock Bath – 5.4 miles and Matlock Town 6.8 miles)
- the facility makes an important and valuable contribution to the wider leisure, recreation, tourism and rural economy in the local area supporting both the tourism industry and other rural businesses locally
- the facility makes a further contribution to the local economy through direct service contracts with catering and maintenance businesses
- the growth of the business will see that local jobs are secured and the potential for local jobs to increase
- national and local planning policy supports the growth of facilities such as HRCS.

2.6 These shooting is proposed to take place throughout the year and the applicant has advised of the following, approximate shooting days per month based on the type of shooting activity:

EVENTS/MONTH	Jan	Feb	March	April	May	June
Competitions	3	2	3	2	2	4
Clay Pigeon Shooting Experiences (CPSE)	5	4	4	4	5	5
Simulated Game Days/ Corporate Events/Charity Events	0	0	0	3	6	6
Practices/Sporttrap	0	0	1	4	4	4
1 to 1 Lessons	2	8	10	8	5	5
TOTAL	10	14	18	21	22	22

EVENTS/MONTH	July	August	Sept	Oct	Nov	Dec
Competitions	2	1	2	3	2	3
Clay Pigeon Shooting Experiences (CPSE)	5	5	2	2	3	5
Simulated Game Days/ Corporate Events/Charity Events	6	7	6	2	0	0
Practices/Sporttrap	5	5	5	0	0	0
1 to 1 Lessons	10	10	5	5	5	2
TOTAL	28	28	20	12	10	10

- 2.6 The applicant has also submitted details of the number and types of shooting are detailed in the table below:

Event Type	Timings	Approximate Number of Attendees	Amount of Shooting Total Number of Days	Days
Competitions	Between 10.00 - 17.00	100	Each Shooter will shoot 75 targets	27
Clay Pigeon Shooting Experiences (CPSE)	Between 10.00 - 17.00	1 – 6 people	25 shots each	49
Simulated Game Days/ Corporate Events / Charity Events	Between 10.00 - 17.00	15 – 20 people Charity (unknown numbers)	5 x 40-minute blocks throughout the day with breaks in between each block	36
Practices / Sportrap	Between 10.00 - 17.00	40	Each shooter will shoot 75 targets.	28
1 to 1 Lessons	No earlier than 10.00 and no later than 20.00	1	1 hour under full tuition (25 to approximately 75 shots)	75

- 2.7 The applicant has also provided details of how each of the activities are operated and when:

Open Practice - Customers sign in by way of a booking sheet in the HRCS cabin. This includes date, and name, and pay for a scorecard which enables them to shoot 75 targets. Open Practice is open to any customer with a shotgun license within Open Practice hours. They can shoot clays on a pay and play basis on the sporting stands.

Who Tend to get a handful of people when we open and then a steady stream of retired clients during the afternoon, with people calling in on their way home from work.
What The shooters will be shooting at 75 targets and for two people this may take approximately 45 minutes.
When The plan for practice days is anticipated to be one day a week from March to November and envisage these practice days to be on a Saturday between the hours of 11am and 4pm (whilst the evenings are too dark to shoot). When the nights are lighter, then practices will be held on a weekday, possibly Thursdays between the hours of 11am until dusk.

Shooting School - One to One Lessons - Customers pre-book an instructor for these sessions, who will work with them to meet their requirements. This could be teaching someone to shoot from the very beginning, or simply helping to iron out a problem that an experienced shooter has.

Who Complete beginners, novices through to experienced shots. This can apply to any age group.
What Generally a lesson lasts for 1 hour and will vary how many shots they have dependent upon the client's ability. A beginner may only have 25 shots a more experienced shooter may have 100 shots. Occasionally we are asked to give a joint lesson which covers a period of 2 hours, but this is the exception rather than the rule.
When Monday – Saturdays working around the client's availability, some people can only get there after work.

Clay Pigeon Shooting Experiences – Customers pre-book for these sessions, group sizes are in multiples of up to 6 people, each group will require one Instructor who guides them through the experience. Starting with an initial safety briefing in the cabin, then a 25 shot experience under full instruction will be held at two or three of the stands. Only one participant per group is shooting at any given time.

Who This can be for birthday treats, and special family occasions and also people holidaying close by. This is also seen as a value added to anyone owning holiday homes in the area as an activity that is not generally available in other locations.

What Typically 25 shots per person which takes approximately an hour and a half for a group of 6 people

When These can be in the week or on a Saturday dependent on the clients' requirements. Holiday makers tend to contact us at the last minute to see if we have availability the next day or week etc.

Competition Shoots – Customers can either pre-book or turn up on the day to shoot across 11 stands a total of 75 targets. Customers sign in by way of a booking sheet in the HRCS cabin. This includes date and name, and they pay for a scorecard which enables them to shoot 75 targets.

Who These are the applicants' regular Clay Shooters, both members and non-members. On average approximately 100 people attend, spread out over the course of the day, generally each spending approximately 2 hours at the ground.

What They shoot 75 targets as a competition

When Propose to continue Sunday competition shoots at two per month. These generally start at either 9:30am or 10am, and in the winter months finish approximately 2:30 – 3:30pm depending on available light. In the summer months they tend to finish by approximately 5pm

2.8 The applicant advises that, in the previous 10 years, Harboro Rocks Clay Shoot has received no complaints regarding noise. In response to objections on the basis of noise, the applicant carried out noise tests on Sunday 23rd January 2022 whilst the Darley Dale Clay Pigeon Shooting Club were holding one of their competitions on land to the south of Manystones Lane. The direction of shooting included some towards Brassington, Carsington, Hognaston and towards Manystones Lane whereas the Harboro Rocks Clay Shoot direction of shooting is away from Brassington, Carsington and Manystones Lane. Readings were taken as follows:

1. Turlowfields Lane, Hognaston DE6 1PW

Time reading taken 09:57

Decibel Average Reading 30dB - no audible gunshot noise

2. The Town, Carsington DE4 4PX

Time reading taken 10:18

Decibel Average Reading 40 dB due to songbirds - no audible gunshot noise

3. Town Street, Brassington DE4 4HB

Time reading taken 10:32

Decibel Average Reading 52 dB due to traffic noise - no audible gunshot noise

4. Brassington Village Hall, Dale End DE4 4HA

Time reading taken 10:45

Decibel Average Reading 35dB - gunshots in the distance only just audible

5. Top of Wirksworth Dale adjacent to Darley Dale Clay Pigeon Shooting Club, 150 yards away from live firing.
Time reading taken 11:05
Decibel Average Reading 45dB - decibel peaked at 80dB when shots were fired
 6. Hoben International Entrance, Manystones Lane, opposite the entrance to Darley Dale Clay Pigeon Shooting Club
Time reading taken 11:20
Decibel Average Reading 53dB - decibel peaked at 88.3dB
- 2.9 Given the above, the applicant considered that it was demonstrated that Darley Dale Clay Pigeon Shooting Club are staying within the legal noise boundaries, even whilst shooting in the direction of Brassington, Carsington and Hognaston. In addition, and considering that Harboro Rocks Clay Shoot is twice the distance away from Brassington and only shoots in the opposite direction (due to the layout of the land), the applicant advised that it was difficult to see how the clay shooting from the application site could exceed any noise limits in the surrounding villages.
- 2.10 With regard to noise emanating from the application site, the applicant submitted details of noise readings taken on the morning of 6th February 2022. The direction of shooting was away from Brassington, Carsington, and Manystones Lane and the wind direction was Westerly. The readings were taken as follows:
1. Brassington Village Hall, Dale End DE4 4HA
Time reading taken 10:30
Decibel Average Reading 44.1dB - no audible gunshot noise
 2. Town Street, Brassington DE4 4HB
Time reading taken 10:45
Decibel Average Reading 49.1 dB due to bird song & breeze - no audible gunshot noise
 3. Turlowfields Lane, Hognaston DE6 1PW
Time reading taken 11:08
Decibel Average Reading 51.4dB due to breeze in trees - no audible gunshot noise
 4. The Town, Carsington DE4 4PX
Time reading taken 11:35
Decibel Average Reading 52.7 dB due to breeze in trees - no audible gunshot noise.
- 2.11 Given the above, the applicant was of the view that they have demonstrated there was no audible gunshot in the villages of Brassington, Carsington and Hognaston whilst Harboro Rocks Clay Shoot were shooting on Sunday the 6th February 2022 and that the prevailing wind at Harboro Rocks is south westerly/westerly, with the rare occasion of a northerly wind being the exception rather than the rule.
- 2.12 Nevertheless, the applicant was requested by Officers to commission a professional noise assessment; this was undertaken by Blue Tree Acoustics. The assessment has included noise level measurements taken both on-site and at remote noise-sensitive receptor locations during a shooting event. Based on the data gathered during the event, the shooting noise was not sufficiently greater than the residual noise to enable the Mean Shooting Noise Level to be accurately determined at the remote assessment locations in accordance with '*Clay Target Shooting – Guidance on the Control of Noise 2003*'.

2.13 Ambient sound levels at the remote assessment locations during the measurement periods were found to range between 40-47dB LAeq. As such, it is concluded by the consultants that the measured shooting noise on the day was notably less than the 55dB(A) lower guideline limit recommended in '*Clay Target Shooting – Guidance on the Control of Noise 2003*' where annoyance is deemed less likely to occur.

2.14 The consultants advise that their assessment was determined under positive wind vector conditions in the direction of Carsington and Godfreyhole, and they advise that they do not anticipate that shooting noise levels would be significantly greater during similar events on other days with similar conditions. It was recognised that shooting noise at Brassington could be greater under north easterly wind conditions, but it is considered unlikely that this change would be greater than 15dB. The average prevailing wind direction at the site is generally westerly, so the measured sound levels can be considered representative of the typical situation.

2.15 Under the stated environmental conditions, the measured shooting noise from Harboro Rocks Clay Shoot was therefore found by the consultants to be of sufficiently low impact so as not to have adverse effect on residential amenity, and to be within the range of magnitude considered unlikely to be disturbing at residential properties in the vicinity of the assessment locations.

2.16 At the request of the Local Highway Authority, the applicant has submitted further information to seek to demonstrate that the existing access point has suitable visibility sightlines for the speed of Manystones Lane. Manystones Lane is subject to 60mph speed limit and therefore visibility sightlines of 2.4m x 203m are required in both directions, within controlled land. The applicant has submitted a plan showing two passing places which are close to the High Peak Trail and passing spaces along the access into the site. The applicant has also submitted details of informal areas for car parking on the site.

2.17 Further to the initial submission, the applicant has also provided further information with regard to ecological concerns regarding the impact of the 'clay' material on the site.

3. PLANNING POLICY AND LEGISLATIVE FRAMEWORK

3.1 Adopted Derbyshire Dales Local Plan (2017)

- S1 Sustainable Development Principles
- S4 Development in the Countryside
- S9 Rural Parishes Development Strategy
- PD1 Design and Place Making
- PD2 Protecting the Historic Environment
- PD3 Biodiversity and the Natural Environment
- PD5 Landscape Character
- PD6 Trees, Hedgerows and Woodlands
- PD7 Climate Change
- PD9 Pollution Control and Unstable Land
- HC17 Promoting Sport, Leisure and Recreation
- HC19 Accessibility and Transport
- HC20 Managing Travel Demand
- HC21 Car Parking Standards
- EC1 New Employment Development
- EC5 Regenerating and Industrial Legacy
- EC8 Promoting Peak District Tourism and Culture
- EC10 Farm Enterprise and Diversification

3.2 District Council's Landscape Character and Design Supplementary Planning Document (2018)

3.3 National Planning Policy Framework

3.4 National Planning Practice Guidance

4 RELEVANT PLANNING HISTORY

4.1 None

5 CONSULTATION RESPONSES

Brassington Parish Council

- 5.1 - Mrs Newton attended Brassington Parish Council meeting on 7th December and answered several questions from councillors
- a vote was then taken, the result being 4 in agreement with the application and 2 against – therefore, the Chairman did not vote, although he had stated that he was against
- therefore, the Parish Council has no objection with the application proceeding.

Carsington and Hopton Parish Council

- 5.2 - object on material grounds
- there is a clear intent to increase the activity at the site to a level that the noise emissions from it will adversely affect the Parish to what will be unacceptable degree
- whilst extreme, the prospect of the noise of gun fire reverberating throughout the Parish 18 hours a day, 7 days a week is intrusive to say the very least
- whilst the application site is not within the parish, the sound of gunfire is clearly heard throughout both villages and the outlying properties when shoots currently take place
- until now this has been on a Sunday morning for a few hours - understood that planning permission was not required by the applicants whilst the shoot did not exceed 28 days in a calendar year
- this has been exceeded and an application for retrospective permission is sought
- would appear that the applicants now seek to expand their business from shooting on a Sunday only, to 7 days a week, 9am until 9pm, although in practice limited by daylight hours
- there are no proposed restrictions as to the cumulative duration of gunshot nor as to Christmas Day, Remembrance Sunday etc. - would appear that there is guidance on the control of noise which makes recommendations along these lines
- Code of Good Shooting Practice refers to restricting shooting to reasonable times and notifying neighbours in advance of particular events - there is no mention that the applicants have considered this
- there are many holiday cottages in the village and surrounding area and it is a concern that they will be impacted by the sound of continuous gunfire ricocheting around the valley
- ground surrounded by industry but the noise generated by the guns is entirely different
- seems generally accepted that clay target shooting can cause an annoyance and intrusion and that measures should be put in place to minimize or prevent this
- when the windfarm was proposed on Carsington Pastures, monitoring of the noise levels was carried out and is done so to this day for the benefit of surrounding villages, particularly those in the parish
- residential properties are by definition noise sensitive
- feel that farm buildings housing young animals may also be affected - gunfire could also be distressing to wild and domestic animals
- unclear whether any consultation with Environmental Health and Planning has been sought regarding the potential increase in nuisance generated by gunshots

Lead Local Flood Authority (Derbyshire County Council)

- 5.3
- no comment
 - request informatics be attached to any grant of planning permission.

Environment Agency

- 5.4
- site lies fully within flood zone 1 and therefore have no fluvial flood risk concerns associated with the site
 - there are no other environmental constraints associated with the site and therefore have no comment to make.

Local Highway Authority (Derbyshire County Council)

- 5.5
- initially advised that it is likely that the proposal will result in an increase in use of the site and the existing access and that it will need to be demonstrated that the existing access point has suitable visibility sightlines for the speed of Manystones Lane
 - Manystones Lane is subject to 60mph speed limit and therefore visibility sightlines of 2.4m x 203m are required in both directions, within controlled land
 - the 203m can be reduced in accordance with actual vehicle speed if a speed survey is carried out and shows vehicle speeds below 60mph and the sightlines can then be adjusted in accordance with the actual vehicle speeds
 - would like to see a plan showing the existing passing places which are mentioned in the D&A and also what parking is available with the site curtilage

Further to the receipt of an additional plan with regard to visibility splays

- in view that visibility can be achieved albeit over the third party walls, and that the proposal has been operating for some time without any issues being reported, do not consider that sole highway objection could be sustained in this instance.

Peak and Northern Footpaths Society

- 5.6
- two public rights of way, Brassington Footpath 14 and Brassington Bridleway 38 (High Peak Trail) are affected by this development
 - in other locations, this would be a real problem, but since any possible peaceful enjoyment of the area is already greatly reduced by the presence of the adjacent factory, the extra noise and visual intrusion caused by the development is of less consequence
 - concerned about the vehicular access to the application site, which is along FP 14 and crosses the Trail
 - this access is of a good width, but there does need to be some form of speed limit and signage re the presence of walkers - real concern as sure that the number of vehicle movements will increase
 - with respect to the crossing of the Trail, the junction should have some priority marking - priority given to walkers, horse riders and cyclists using the Trail. There should be some warning signage and some engineering solution that stops vehicles just driving straight across the trail. Planning permission should only be granted if these measures are carried out.

Derbyshire Dales Group of Ramblers

- 5.7
- likely to be an increase in vehicular traffic along Brassington FP 14 from Manystones Lane to the site
 - Brassington BW 38, which is also the High Peak Trail (HPT), crosses the access track - this is a very popular and busy multi-user route for walkers, runners, cyclists and horse riders
 - many families use the HPT and may not be as generally aware of potential hazards from sudden vehicle presence
 - speed and traffic calming measures should be put in place before granting this application

- the crossing of the HPT should be in favour of BW/HPT users i.e. vehicles should stop both ways before crossing - signage and other measures should be put in place
- whilst the nearby factory generates considerable noise, any increase in unexpected noises from shooting will be adverse for BW users, especially horse riders
- note in the additional documents that no mention is made of the requested traffic measures to ensure RoW users' safety using Brassington FP 14 and BW 38 (HPT)
- request that PRow's views are sought

Derbyshire Wildlife Trust

- 5.8
- appears that the biodegradable clay pigeons, whilst better in some ways, can over time reduce soil pH and thus make soils more acidic
 - the floristic interest at the site is characteristic of calcareous soils and any decrease in soil pH would change the flora and potentially reduce diversity - probably better for the shoot to continue to use the non-biodegradable ones for the time being
 - should a suitable biodegradable clay pigeon that does not affect soil chemistry become available we would recommend that the applicant consider using it as an alternative.
 - in relation to reducing the amount of clay pigeon material, the applicants have advised that they regularly (every few weeks) collect intact clay pigeons and larger pieces of used clay pigeon for re-use or recycling
 - this is probably the best option to reduce any impact on the species rich calcareous grassland that forms the key feature of the Local Wildlife Site, assuming that the clay pigeon shoot continues to operate in its current form - this could potentially be secured by condition, though it might be difficult to enforce.

Environmental Health (Derbyshire Dales District Council)

- 5.9
- have reviewed the noise report and consider that this has been undertaken satisfactorily
 - report shows that noise from the shooting at nearby recorded locations is not above background/residual noise levels
 - report also corresponds to noise monitoring in person, carried out by myself and a Planning officer during a busy Sunday shoot on 06/03/2022 where we visited local villages
 - the wind direction was from the north east and gun fire was heard slightly in Brassington but was barely audible in Carsington and could not be heard in Hopton or Godfrey Hole
 - appreciate that the shooting can take place on every other Sunday without the need for planning permission (28 days in a year) and that Sundays are the days when the most shooting takes place
 - appreciate that the proposals request a significantly increased number of days shooting, but the shooting on those days is likely to be far more intermittent given the nature of the events
 - do not consider that the proposals would amount to a significant disturbance.

Historic England

- 5.10
- do not wish to offer any comments but suggest the views the Council's specialist conservation and archaeological advisers are sought as relevant.

Development Control Archaeologist

- 5.11
- proposals appear minimal in terms of ground impact and would not harm the known archaeological interest in and around Harboro Rocks.

Councillor FitzHerbert

- 5.12
- is an excellent application and is to be welcomed by all in the community
 - the Newtons run a well-respected and well known establishment, where the aim is based around co-ordination, education, skill and respect for the utensils involved
 - have been established on the site for over ten years (the site for over 40 years) and, as well as educating young and old people, they have raised an enormous amount of money for charities both local and national - gather that this is to be increased in the future

- this application is to be applauded and trust that it will be passed by delegated authority as soon as possible.

6 REPRESENTATIONS RECEIVED

- 6.1 A total of 42 representations have been received objecting to the proposals. A summary of the representations is outlined below:

Impact on Amenity

- this is a belated application for permission to operate a business within the planning rules rather than outside them as they are currently and have been doing for some time
- the example calendars in the application show potential shooting events on almost any day of the week, sometimes into the evening - to allow this to operate all year round during daylight hours would be a huge detriment to the area, the people who live here and the visitors who come to stay
- shotgun retorts are loud, unpredictable and sudden
- it is generally accepted that the noise generated from shotgun fire exceeds 135dB with some bodies suggesting that the figure is more likely nearer 150 dB (www.hse.gov.uk)
- noise of gunshots reverberates and echoes around the hills and the village and is highly audible
- site and rock background acts as a reflector across the Henmore Valley
- noise pollution audible in Brassington, Carsington, Hopton and Godfreyhole along with those suffering most being the residents in Brassington
- Carsington is in a dip and the sound magnifies and is heightened
- can be heard easily above the sound of the wind turbines and factory
- occasionally possible to hear a small amount of noise from the adjacent businesses to the application site which is not in any way obtrusive - same cannot be said of the persistent gunfire
- vast majority of local residents and visitors do not participate in clay shooting and should not have to endure the negative environmental effects of this activity
- have changed from having approx. 12 days per year of interruption and noise pollution to having over 100 days per year - believe that this is already in excess of what is reasonable or permitted, hence the retrospective nature of this planning application
- a daily licence would allow constant operating from 0900 to 2100 daily with significant impact on noise levels for local residents and visitors who come to local businesses to enjoy the peace and tranquillity of the area
- application mentions being able to continue shooting up to 9pm at night and every day of the week - surely this cannot conceivably be acceptable in a setting that is so close to a residential village which is being disrupted by the noise?
- whilst the factory noise can occasionally be heard from the village, it is a 'background hum', entirely different from the noise of the shoot
- this is not a problem that is contained within a few hundred yards of the shoot site as some representations have suggested - it extends for a very long way
- there are also Simulated Game days mentioned, of which there are already 13 dates planned for 2022, with the hope of increasing this number
- from the club's website for the Simulated Game days events each team of 15 guns will be presented with approximately 6000 varied birds on different drives so advise 500 cartridges per person - many guns shoot 1000 plus cartridges during the day" - this shows a minimum of 6000 shots being fired, with a realistic prospect of over 10,000 shots being fired.
- booked dates show 3 booked days for Simulated Game of which 2 of the days are a Saturday and Sunday - this is exactly the time that people in the vicinity should be able to enjoy the amenity of their own home and gardens

- even if the statutory level of noise was not exceeded, the nuisance value of this cannot be ignored if it unreasonably and substantially interferes with the enjoyment of a home and property
- regular noise of the guns being fired at weekends is a constant irritation and an intrusion into desired experience of a harmonious rural life and existence
- applicant may be correct that complaints have not been received in the past - this is because that while it may happen a few days per year, the local community allow this to continue at an acceptable level - to expand this to 12 hours per day 365 days per year is totally unacceptable
- although guns are a country sport, there are limits around how much you can expect local residents to accept and the noise carries to the village
- work at home, and in the warmer months the noise is in the house
- benefits outlined for members and the local economy seem to be out of balance with the potential detriment to other tourist activities and the impact of those residents of Brassington, Hopton and Carsington
- application clearly undermines, the County of Derbyshire and the Peak District
- potential impact on the Peak District National Park's designated landscapes in terms of impacts to tranquillity - shooting on Sunday Feb 27th was clearly audible 6km away in Elton and on a walk around Elton Common
- Harboro Rocks is in an elevated position and sound will travel extensively across the White Peak plateau
- would expect impacts across a significant swathe of the National Park (the boundary being roughly 1.5km from the shoot) - this is perhaps exacerbated by the current direction of shooting towards the Peak Park boundary in an effort to reduce noise impacts on nearby villages
- does not appear that the Peak District National Park Authority has been consulted on the application
- because tranquillity is an attribute of landscape character and landscape value, and particularly so within the National Park's designated landscapes, the proposals at present may run counter to NPPF paras 174e (noise pollution), 176 (development within the setting of a National Park) and 185 - with particular reference to para 185b "*identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason*"
- seems that as well as the noise study recommended by Environmental Health, there needs to be a study assessing impacts on tranquillity within the nearby designated landscape (with appropriate professional input) which may then allow a sensitive package of on-site mitigation measures to be designed
- applicant may perhaps also need to adjust expectations of how many shooting days can be accommodated annually without harm to residential and visitor amenity and designated landscapes
- National Park as a wonderful place to reside in and walk in
- will impact the many walkers, cyclists, fishermen and bird watchers who enjoy the amenities of Carsington Reservoir and walkers and cyclists along that section of the High Peak Trail
- when walking along the High Peak Trail on Shoot days, you continue to hear the noise the length of the trail - until you walk down the incline beyond Middleton Top where the valley offers some respite
- many visitors come to the area due to the peace and tranquillity of the area and this application would be both disruptive and detrimental to the local area
- saw a horse that is kept in a field near Middleton Top in clear distress from the noise
- believe that the owners of the shoot should be free to work within the current legal constraints and permissions that are in place and presumably that were understood by them when they first came into possession of this land, but should be blocked from further extending their activities at the shoot.

- the proposed increase in days of shooting will only add to the adverse effects of those who ride horses and bikes along the amazing High Peak Trail or who exercise their dogs around the same area, many of whom are terrified by the loud noise
- proposed increase in shooting days would be a massive detriment to the area.
- understand Boy Scouts own and use the derelict house near the rocks so imagine their activities may be affected by the shooting
- increase in noise and traffic from clay pigeon shooters is very likely to decrease the enjoyment for walkers, riders and cyclists and to reduce their number over time -rather than increasing the number of outdoor enthusiasts in these categories it will have a detrimental effect
- a regular climber at harboro rocks so do not welcome the increased explosive noise from clay pigeon guns; it certainly won't help climbers to concentrate and keep themselves focused (and safe) on a difficult route
- Rock climbers cannot now enjoy the tranquillity when climbing Harboro Rocks and stroll down onto the land after their climb because shooting is usually taking place
- has the impact of the Darley Dale Shooting Club been considered and what are the planning restrictions on their shoot ?
- letters of support for this application do not recognise the impact of this disruption on local residents or other visitors to the area
- are there any plans to carry out an assessment of the impact of noise on the surrounding area
- suggest if any planning consent is given it sets strict limits on the number of days and the time of day that shooting should be allowed
- were the facility to be restricted to reasonable hours of operation (i.e. not evenings) then, as with the present arrangements, walkers, cyclists and horse riders could plan around this - should the Council not agree with such a condition, then wish for representation to be treated as an objection
- seem to be an overwhelming number of submissions from people who travel here in order to shoot, but none live in Brassington, which is receiving so much noise pollution and upset due to the activities at Harborough Rocks
- National Planning Policy certainly has a presumption in favour of development, but this should not be at the expense of local communities.
- livelihood of one owner seems to be potentially being put before the already existing tourist industry.
- if it were an industrial site noise laws would prevent this activity
- believe that any planning permissions should more fairly balance the commercial aspirations of the shoot, and the rights of local residents to enjoy peace and quiet in their own homes
- amazed the PC in Brassington didn't consider their residents' enjoyment of their homes

Safety

- concerned about the safety of walkers, dog walkers, horse riders, MTB if an increased use of the clay pigeon shooting area is allowed to go ahead
- increase in car traffic cutting through this popular trail could easily jeopardise the safety of current users of the trail - their safety deserves to be a top priority

Impact on Ecology

- implications of using lead shot in this volume will be that there is a serious risk of the lead contaminating the ground water and this requires an expert assessment of the risks posed by this level of shooting on humans and wildlife
- will cause distress and disruption to local wildlife

- given that Carsington Water is a wildlife conservation area, surprised that a meeting has not been called by or with Severn Trent to discuss this and can only assume that this is because they may not be aware of this application
- effect of man-made random noises on wildlife such as this have been widely researched and there is a proven detrimental effect on wildlife which causes a disruption to their habits and well-being including mating, communication to name but a few
- note applicant's claim in response to the Derbyshire Wildlife Trust that they are not proposing much of an increase in the number of clays they have been using over the past few years – find this incredible given the proposed five-fold increase in shooting days
- biodegradable clays are not used at Harboro Rocks
- the odd badger has been seen at the site
- have many signs making you aware of the rules to keep the land clean and tidy and the reasons for this due to the sheep and cattle that graze the land.

Structures

- a large decking area has been added to the on-site cabin which has already been extended, without planning permission
- grouse butts have been built on site and are all destroying the tranquillity and originality of the location
- during the summer a sign was erected pointing up to their cabin saying "Cafe" - should planning permission be sought for this?

Highway matters

- concern is safety of High Peak Trail users - several times have had near misses with vehicles crossing the trail onto the site while cycling along the trail

Other matters

- disappointed to see that Brassington Parish Council has supported this application without any consultation whatsoever with the village residents
- right to Roam is active on this land and instead of people being able to roam on the land all but 28 days a year, they already cannot freely roam on many days as it is and this will be worse if planning permission to shoot more is granted
- if granted permission, may encourage their neighbouring clay shooting site to use this precedent to increase their hours, further adding to the noise and disruption
- NIMBY effect also raises its head with Cllr Richard Fitzherbert applauding this application, when he resides in Tissington Hall in Ashbourne - propose moving the gun site to his estate and see if he would then be so eager to applaud it
- this couple were married at Tissington Hall in July last year and notice that Richard Fitzherbert is in favour of their application - surely he has a pecuniary interest
- Mrs Newton new to shooting - only 2019 her first try so not an experienced gun
- appear to be able to do as they wish and the powers that be turn a blind eye - this is not acceptable and unfair to people who have enjoyed going up to Harboro Rocks for year

A letter of representation has been received from Ible Parish Council which is summarised as follows:

- being on the opposite side of the Via Gellia, Ible is arguably the most affected by operations at the shoot and have not been consulted on the application

- would like to invite Case Officer to Ible on a shoot day to get an appreciation of the noise nuisance caused
- shoot directly towards Ible thus causing maximum disturbance to the closest residential area
- responses on noise do not include properties to the north of the site
- if minded to approve the application, request strict curbs are put in place on the permissible noise levels, the hours of operation and that measures are put in place to mitigate the nuisance caused.

A total of 84 representations have been received supporting the proposals. A summary of the representations is outlined below:

- it is amongst the best sites in the country for how it sensitively arranges its operations within the existing countryside
- clay shoot is in a very remote area and offers a highly valued facility
- hundreds of clay shooters enjoy the use of this facility on a regular basis
- do not believe there are any noise considerations to be considered, given the noise from the neighbouring factory and the shoot across the road
- very safe and educational but also provides the community with a fantastic social platform for all ages and abilities - for some people it is a life line providing the only social interaction they receive.
- shoot attracts people from all over England
- make good use of the shops and other hospitality outlets, pubs, fish and chip shop petrol stations etc
- has been a clay shoot on the site since 1984 - current operators of the site run it to a very high standard of safety, appearance and care
- management systems and the layout of the shooting have meant that there have never had any concerns about the impact of discharging a shotgun on walkers and riders using the High Peak Trail - have never seen any adverse reaction from those users and often notice that they take a positive interest in what is happening on the clay ground
- approval of this application would merely formalise what has been the reality on the ground for nearly 30 years
- support the extension of operating hours for the site, and would certainly visit more often if had more of a choice about when could go
- clay shooting is a growing sport, and capacity will need to expand to meet demand - makes no sense, and is it unsustainable in planning terms, for that capacity to be provided by new grounds when existing grounds can accommodate the demand using existing infrastructure
- ground is located between industrial users, with the Hoben International site being an intensive and noisy operation
- unlikely that the noise generated from activities at Harboro Rocks will rise sufficiently above its neighbours to cause a nuisance and it is the nature of clay shooting that such noise is not continuous
- enables shooting when you can rather than at set times - difficult to get shooting if venues are only open on certain days
- would set a dangerous precedent to refuse permission for this application on the basis that the site creates some noise – should all businesses which find themselves adjacent to public rights of way be concerned that they may not be able to adapt to the demands of their market or, worse, be closed down?
- would be a disproportionate response to refuse permission for the change of use, especially given the long-standing operation of the site as a clay ground
- particular ground is one of the few that are able to provide 1st class driven targets
- its remote location together with a prevailing westerly wind helps mitigate against any noise pollution.

- DDDC has the good fortune to have in Harboro Rocks, a high quality business run responsibly
- it is a leisure site that constitutes an important part of the mix of outdoor activities the district offers
- more outdoor sports are needed with the current covid situation
- daughter learning to shoot at Harboro Rocks CS as part of her Silver Duke of Edinburgh Award - being open more days a year will enable more children to take part and learn shooting as a new skill in an ideal location.
- as a local horse rider who rides the High Peak Trail, happy to ride my horses on the trail past HRCS because have personally experienced applicant's consideration when he halts shooting while a horse and rider pass on the trail
- business has gained a reputation as a well-run, professional shoot which has been hard won and well deserved
- need more local business like this in our countryside
- the best example of mixed use land, allowing both clay pigeon shooting and agriculture on a piece of rough rocky farmland
- the High Peak Trail, at 17.5 miles, is a great asset but its value is not diminished by the presence of this clay ground along some 250m on one side of it
- Clay shooting is a growing outdoor sport which contributes to its participants' mental health (97% of shooters said the sport increased their wellbeing – BASC survey 2015)
- Longcliffe is a close neighbour with five properties within half a mile - no complaints of noise have been received and this facility has been a notable success
- live a 20 minute drive from the shoot (Lea Bridge) and can hear the noise - have spoken to my neighbours and this does not cause them any consternation
- not another ground open locally apart from those restricted to 28 day rules and feel this would be a considerable asset to the shooting and local communities
- site is well managed, secure and is properly maintained in accordance with current legislation guidelines and in my opinion should poses no adverse or negative reaction
- this extremely valuable facility should be supported in its growth and applauded for the amount of visitors it brings into the area from many parts of the country along with the charity work it undertakes
- there's a community between the people who shoot and that will be taken away
- very important to keep our English traditions going in younger generations especially
- ground is maintained to a very high standard, used by local people and totally unobtrusive being largely out of sight and away from residential properties
- operation has always had strict rules in place concerning the treatment of the local environment as well as the health and safety of visitors on, and in the immediate vicinity of, the site.
- have no doubt that any expansion of the operating hours, in order to accommodate the natural growth of the business, would continue to be conducted in the same compliant manner.
- shoot requires the use of fibre wads only which degrade quickly and disappear back into the ground
- waste cartridge cases and cardboard is collected at point of use, contained and removed from site regularly and the site and environment is kept in pristine condition
- facility is one of the very best in the country and certainly within the area that it is situated
- have successfully raised a considerable amount for charity.

A letter has been received from the Clay Pigeon Shooting Association (CPSA) supporting the proposals. A summary of the representation is outlined below:

- Harboro Rocks Clay Shoot is a CPSA Affiliated Ground with a CPSA qualified Safety Officer, has completed the CPSA Safety Audit requirements and holds a Section 11 6

- exemption certificate issued by the Derbyshire Police Firearms Licencing Department to enable novices to shoot at artificial targets at the ground
- clay target shooting has increased in popularity hugely in recent years with more people keen to have a go than ever before even during the last two years when CPSA has worked closely with the Government to enable clay shooting to commence quickly after the periods of lockdown
- seen as a safe outdoor sport and recreational activity to suit all ages and abilities
- importance of being outdoors can't be underestimated and is definitely a huge factor in people's health and wellbeing
- demand for corporate days and stag/hen type events is also huge and is an important factor within the local economy
- clay target shooting isn't just a local sport and select teams to shoot for England and represent us at the Commonwealth Games and onwards in the Olympics (Gold medal winners in Sydney 2000 & London 2012 and Bronze medallist in the Tokyo Games in 2021) and these future stars are found at the local shooting clubs and grounds around the UK.

7 OFFICER APPRAISAL

Policy Principle

- 7.1 The site is in the open countryside and Policy S4 (Development in the Countryside) of the Adopted Derbyshire Dales Local plan (2017) advises that the District Council will seek to ensure that new development protects and, where possible, enhances the landscape's intrinsic character and distinctiveness, including the character, appearance and integrity of the historic and cultural environment and the setting of the Peak District National Park whilst also facilitating sustainable community needs, tourism and economic development. It advises that planning permission will be granted for sports and recreational uses in accessible locations and least environmentally sensitive locations.
- 7.2 This also reflects on the aims of policy S1 (Sustainable Development Principles) which advises that all developments should seek to make a positive contribution towards the achievement of sustainable development by improving the economic, environmental and social conditions of the area wherever possible. Policy EC8 (Promoting Peak District Tourism and Culture) is also of relevance as there are considered some potential benefits arising out of tourism that the facility could attract.
- 7.3 In addition to the above, policies PD1 (Design and Place Making) and PD5 (Landscape Character) seek to ensure appropriate design and appearance of development in the landscape and guidance is also contained in the District Council's Landscape Character and Design Supplementary Planning Document (2018). Policies S1 and PD9 also seek to ensure a high standard of amenity and ensuring existing communities have a healthy, safe and attractive living environment and the risks of pollution are minimised and, where appropriate, mitigated.
- 7.4 Given the above, it is considered that the development needs to be assessed having regard to the following:
- Impact on amenity
 - Impact on the character and appearance of the area
 - Impact on Scheduled Ancient Monument
 - Highway safety
 - Impact of vehicular traffic on public rights of way
 - Drainage and flood risk
 - Ecology

These matters are considered below.

Impact on Amenity

- 7.5 A significant number of representations have been received with regard to the potential nuisance that the increase in shooting, beyond the 28 days that do not require planning permission in a year to potentially some 215 shooting days of some description.
- 7.6 The nearest dwellings to the site appear to be New Harboro Farm, some 350m to the north east, and Manystones Barn some 800m to the west of the site. The nearest villages are Brassington, Carsington and Hopton. Given the potential for nuisance from the shooting, the applicant was advised to provide a noise survey. To this end, the applicant undertook a noise survey and, further to the comments of Officers, then commissioned Blue Tree Acoustics to undertake a professional assessment and the findings are set out in the application details.
- 7.7 The District Council's Environmental Health Section has reviewed the noise report relating to the clay shoot at Harboro Rocks and consider that this has been undertaken satisfactorily. The consultant's report shows that noise from the shooting at nearby recorded locations is not above background/residual noise levels. The report also corresponds to noise monitoring in person, carried out by an Environmental Health Officer, and accompanied by the Planning Officer, during a busy Sunday shoot on 6th March 2022. The wind direction was from the north east and gun fire was heard slightly in Brassington but was barely audible in Carsington and could not be heard in Hopton or Godfrey Hole. It is appreciated that the wind direction on the day was a probable factor.
- 7.8 The Environmental Health Section appreciate that the shooting can take place on every other Sunday without the need for planning permission (28 days in a year) and that Sundays are the days when the most shooting takes place. Whilst it is appreciated that the proposals request a significantly increased number of days shooting, the shooting on those days is likely to be more intermittent given the nature of the events. As such, it is considered that the proposals would not amount to a significant disturbance and nuisance that could justify a recommendation of refusal on amenity grounds. However, it is considered reasonable, given the vagueness of the hours proposed by the applicant for different times for shooting, to attach a condition that competition shooting shall not take place outside of the hours between 09.30 and 17.00 and no other shooting shall take place outside of the hours of 09.30 and 19.00 unless agreed in writing by the Local Planning Authority; this is in order to seek to prevent possible impact on children that may be sleeping, particularly in the summer months when windows may be open.
- 7.9 Concern has been raised over sudden noises and how this may impact horse riding. The applicant has advised that they are in constant communication with a lady who organises rides along the trail and that he works with her to ensure they are either not shooting on the day of her ride or that he is aware of the time horses will be passing and agree to halt shooting whilst they pass. The applicant refers to a comment from a member of the public, who supports the application, advising that they have personally experienced consideration when the shooting is halted while a horse and rider pass on the trail.
- 7.10 There are concerns raised that the shooting will impact on the enjoyment of persons using the High Peak Trail. However, the noise from the shooting would be such that it would be noticeable from some distance and increase and decrease as the site is approached and then passed. This transitory impact is not considered to significantly harm the amenity of passers-by and the activities taking place may be of interest to some who may take time to look at the shooting in their passing. In addition, the majority of the shooting will take place prior to 5 o'clock each day and that will allow the High Peak Trail to be used without noise

on most evenings and, besides on Sunday when the competitions are held, the shooting is unlikely to be constant between 10.00 and 17.00.

Impact on the Character and Appearance of the Area

- 7.11 The site has been operating with gradually increasing levels of activity for some time. This has led to some structures being provided such as the café/shop/wc facility and various shooting points created and equipment on the site for the shooting of the clay pigeons. The building has been in situ for some years and is immune from enforcement action by the passage of time. The existing facilities on the site for the clay shooting are not considered overly obtrusive or harmful to the appreciation of the open countryside. However, it is considered reasonable to attach a condition that a full site survey is submitted of all structures/equipment within one month of the grant of any planning permission and that should any other structures/equipment be required, that this is first agreed in writing by the Local Planning Authority which, dependent on the proposal, may require planning permission in any event.
- 7.12 One matter of concern is with regard to the unauthorised signage that can be found, particularly on the approach to the site. It is considered that this needs to be regularised with appropriate signs for safety reasons and with respect to advertising the site. It is considered reasonable to attach a footnote to any grant of planning permission that requires the submission of an application for advertisement consent to address those signs requiring such a consent.

Impact on Scheduled Ancient Monument

- 7.13 The site is within an area designated as a Scheduled Ancient Monument (SAM). Whilst there are structures within the shooting area, these are relatively recessive in the landscape and are not considered of significant harm. Historic England has considered the proposal and has deferred comments to the District Council's Conservation and Design Officer and the Development Control Archaeologist. To this end, the Development Control Archaeologist has advised that proposals appear minimal in terms of ground impact and would not harm the known archaeological interest in and around Harboro Rocks.

Impact on Highway Safety

- 7.14 The Local Highway Authority initially raised concerns with regards to the visibility splays from the access track onto Manystones Lane. The applicant has prepared a plan but it is evident that the visibility splay is partially over third party land. However, it is considered unlikely that the visibility splay will be compromised by third party landowners and there has been usage of this access for a period of time without accidents being recorded. On this basis, the Local Highway Authority has advised of no objection to the proposals.

Impact of vehicular traffic on Public Rights of Way

- 7.15 Peak and Northern Footpaths, Derbyshire Dales Ramblers and local residents have raised concerns that there would be an increase in traffic crossing the High Peak Trail. However, as the applicant advises, traffic is unlikely to increase more than current levels as this is a retrospective planning application. It is not considered that traffic will be heavy, other than on Sundays when the generally larger shoots would take place and which the applicants can undertake, as they currently do, for 28 days in any calendar year. To this end, the increase in traffic would be that on Monday – Saturday for which it is considered the level of vehicular activity would be rather reduced given the nature of the activities proposed.

7.16 In terms of crossing the High Peak Trail, it is not possible to drive straight across the trail due to the offset gates which reduces vehicle speeds to a walking pace. In addition, the applicants advise that they are implementing a number of warning signs as follows:

- Please Slow Down 5mph (200mm x 300mm (A4) on the track towards and from the HPT
- Stop Signs (300mm x 300mm) at the point of crossing the HPT
- Caution Vehicles Crossing (200mm x 300mm (A4) on the HPT.

As advised above, it is considered reasonable that, in the event of planning permission being granted, details of all signage be submitted as a condition to allow for an assessment of its appropriateness in nature, appearance and location.

Drainage and Flood Risk

7.17 The Lead Local Flood Authority has advised of no objection to the application but has requested informatics be attached to any grant of planning permission. Having considered these informatics, it is the Officer view that these have no bearing on the nature of the planning application. The Environment Agency has advised that the site lies fully within flood zone 1 and therefore they have no fluvial flood risk concerns associated with the site.

Ecology

7.18 Concerns have been raised with regard to the impact of the proposals on wildlife in terms of noise but also debris caused by the shot and clays. The land is rough grazing land with significant rocky outcrops and is grazed all year round by both sheep and cattle. The applicants advise that they have studied biodegradable clays at great length and find that the biodegradable nature of clay pigeons is only an indicator of the fact that the bio-target will eventually be reclaimed by nature and will not leave a footprint. However, the applicants advise that the biodegradable clay pigeons can slowly bring a reduction in the overall pH of the soil. This can prove to be catastrophic as the increased soil acidity will prove detrimental for the plants and grass.

7.19 Derbyshire Wildlife Trust (DWT) has advised that the application site includes part of the Harboro Rocks non-statutory Local Wildlife Site (DD195), which is primarily designated for its floristic interest and supports Lowland calcareous grassland a Habitat of Principal Importance listed under S41 of the NERC Act 2006. Their primary concern with regard to the application related to the type of clay pigeon that is regularly in use at the site. Some types of clay pigeon are non-biodegradable and petroleum resin/pitch can remain in the soil for many decades if not longer. This can result in changes to soil chemistry (soils can become more acidic) and, as a result, there may be long-term detrimental effects on the flora and fauna. To this end, DWT advised that it would be useful to confirm that the type of clay pigeon now in use is fully biodegradable. In addition, it was unclear whether there were any mitigation measures already in place to reduce the build-up of clay pigeon debris and it was advised that it can apparently take two years for the materials in a clay pigeon to break down which could become more of a problem.

7.20 The applicant has responded to the above by advising that they have studied biodegradable clays at great length and found that the biodegradable nature of clay pigeons is only an indicator of the fact that the bio-target will eventually be reclaimed by nature and will not leave a footprint. However, it is advised that these biodegradable clay pigeons can slowly bring a reduction in the overall pH of the soil which can prove to be catastrophic as the increased soil acidity will prove detrimental for the plants and grass. The applicant advised that they were not proposing much of an increase in the number of clays they have been using over the past few years, and that, where possible, clays are picked up and recycled,

therefore reducing the amount of clay pigeon debris on the ground. It is also advised that the use of coloured clays is avoided wherever possible.

7.21 Having been presented with this information, DWT has subsequently advised that they spoke to the applicants to discuss the issue of biodegradable and non-biodegradable clay pigeons and their different impacts on the environment and have advised that, whilst there are clearly pros and cons to each type of clay, that it is probably better for the shoot to continue to use the non-biodegradable ones for the time being. DWT have suggested that, should a suitable biodegradable clay pigeon that does not affect soil chemistry become available, that they would recommend that the applicant consider using it as an alternative.

7.22 In relation to reducing the amount of clay pigeon material, the applicants have advised that they regularly (every few weeks) collect intact clay pigeons and larger pieces of used clay pigeon for re-use or recycling. To this end, DWT advises that this is probably the best option to reduce any impact on the species rich calcareous grassland that forms the key feature of the Local Wildlife Site, assuming that the clay pigeon shoot continues to operate in its current form and that this could potentially be secured by condition although DWT recognise that it might be difficult to enforce.

Conclusion

7.23 This is clearly an emotive planning application. There are clear benefits to having a permanent site within the District for clay pigeon shooting, which could attract visitors from throughout the Country, and internationally, to the area and the benefits this will undoubtedly bring to tourism and spending in the District. This may also bring benefits to local businesses such as holiday accommodation and public houses for example with customers of the clay shooting business using such local facilities. However, there are a number of concerns with regard to the appropriateness of the location for such a venture.

7.24 With regard to the sustainability of the proposals, it is appreciated that the site is in a relatively remote location away from public transport facilities and there is a likelihood that the majority of visitors will arrive by car. However, consideration needs to be given to the nature of the need for the site to be relatively remote in order as to not cause significant nuisance to the occupiers of residential properties and, in this respect, it is considered that it is acceptable.

7.25 In terms of noise nuisance, the site is next to a noise generating industrial site which creates some noise which can be heard as a droning noise in locations such as Brassington. Nevertheless, it is clear that the noise from the shooting will be audible above this in the local area but also that this can be dependent on the wind direction at the time as to where the noise can be heard. To this end the applicant has submitted a noise report which, having visited the site, the Environmental Health Officer considers to be reasonable and which demonstrates that there is not a significant nuisance created by the shooting to such an extent that could justify a recommendation of refusal of planning permission.

7.26 Whilst there are concerns that the shooting will impact on the enjoyment of persons using the High Peak Trail, the noise from the shooting would be such that it would be noticeable from some distance and increase and decrease as the site is approached and then passed. This transitory impact would again not significantly harm the amenity of passers-by.

7.27 Whilst some concern has been raised with regard to vehicle movements, it is considered that these have been addressed to the satisfaction of the Local Highway Authority. Derbyshire Wildlife Trust have raised no objection to the development with regard to ecological impacts not the Development Control Archaeologist with regard to the Scheduled Ancient Monument.

7.28 Given the above, it is recommended that, on balance, planning permission should be granted in accordance with the details of the site operation set out in the applicant's statement. There will also need to be a condition on details of passing bays along the access track and with regard to the signage at the site. It is also considered reasonable for the applicant to submit details of the location of the shooting traps and the location of fixed equipment in order that any further equipment would need the approval of the Local Planning Authority.

8 RECOMMENDATION

That planning permission be granted subject to the following conditions:

1. Within one month of the date of this permission, a full site survey shall be submitted to the Local Planning Authority of all structures/equipment that are or are proposed to be provided on the application site. The site shall only be provided with the structures/equipment as so approved and any further structures/equipment that may be required shall be first agreed in writing by the Local Planning Authority.

Reason:

To ensure the satisfactory appearance of the site within the open countryside to comply with policies S1, S4, PD1, PD2 and PD5 of the Adopted Derbyshire Dales Local Plan (2017) and with guidance contained in the District Council's Landscape Character and Design Supplementary Planning Document (2018).

2. The passing spaces along the access track shall be provided within three months of the date of this decision in accordance with details to be first agreed in writing by the Local Planning Authority.

Reason:

To seek to safeguard against vehicle conflicts to comply with policies S1, S4, PD1 and PD5 of the Adopted Derbyshire Dales Local Plan (2017) and with guidance contained in the District Council's Landscape Character and Design Supplementary Planning Document (2018).

3. The site operations shall be undertaken without exceeding the number of days, type of shooting activities and when they are undertaken, as detailed in the Annual Activities and Events Statement received on 14th February 2022, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To safeguard the amenity of the area to comply with policies S1, S4 and PD1 of the Adopted Derbyshire Dales Local Plan (2017) and with guidance contained in the District Council's Landscape Character and Design Supplementary Planning Document (2018).

4. The times of shooting shall not take place outside of those detailed in the Proposed Plan for Operating Hours received on 18th January 2022.

Reason:

To safeguard the amenity of the area to comply with policies S1, S4 and PD1 of the Adopted Derbyshire Dales Local Plan (2017) and with guidance contained in the District Council's Landscape Character and Design Supplementary Planning Document (2018).

NOTES TO APPLICANT:

1. The Town and Country Planning (Fees for Applications, Deemed Applications and Site Visits) (England) Regulations 2012 as amended stipulate that a fee will henceforth be payable where a written request is received in accordance with Article 27 of the Development Management Procedure Order 2015 for the discharge of conditions attached to any planning permission. 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 £116 per request. The fee must be paid when the request is made and cannot be required retrospectively.
2. The applicant is advised that the signage to advertise the site and the safety signs shall be discussed with the Local Planning Authority as to what the signage constitutes and its location and to establish whether the signs require express advertisement consent from the Local Planning Authority.
3. The Local Planning Authority have during the consideration of this application engaged in a positive and proactive dialogue with the applicant which has resulted in the submission of additional; information to seek to address points of concern raised with respect to potential noise nuisance, highway safety matters and ecological impacts.
4. This decision notice relates to the following documents:

Site Location Plan 1:2500 received on 4th November 2021

Applicant's response to Peak & Northern Footpaths and Derbyshire Dales Ramblers

Proposed Plan for Operating Hours received on 18th January 2022

Response to Objections on the basis of Noise received on 9th February 2022

Response to Highways Development Control received on 10th February 2022

Annual Activities and Events Statement received on 14th February 2022

Visibility Splay details received on 17th March 2022

Blue Tree Noise Assessment Report (14/02/22) received on 22nd April 2022.