

APPLICATION NUMBER		23/00566/FUL	
SITE ADDRESS:		The Knockerdown Inn, Knockerdown, Ashbourne, Derbyshire, DE6 1NQ	
DESCRIPTION OF DEVELOPMENT		Formalisation of the existing overflow car park, formation of an additional parking area, formation of new vehicular access and associated drainage and landscaping works	
CASE OFFICER	Mr Joe Baldwin	APPLICANT	Mr Dan Macken
PARISH/TOWN	Carsington	AGENT	Mr Nick Baker
WARD MEMBER(S)	Cllr Peter Slack Cllr Dawn Greatorex Cllr Lucy Peacock	DETERMINATION TARGET	13.09.2023
REASON FOR DETERMINATION BY COMMITTEE	5 or more unresolved objections received.	REASON FOR SITE VISIT (IF APPLICABLE)	For Members to consider the impact of the development on the local environment

MATERIAL PLANNING ISSUES

- 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

RECOMMENDATION

That the application be approved subject to the conditions set out in section 8.0 of the report.

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 Sellors "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 hedgerows. 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 formalisation of an existing overflow car park to the south of the public house, formation of an additional parking area to the east of the overflow carparking area, formation of new vehicular access and associated drainage and landscaping works as shown on the submitted amended plans received by the Local Planning Authority on 28th July 2023.
- 2.2 The proposed new access onto the B5035 would act solely as an exit from the site with the existing access retained as the entrance. The proposed formalisation of the overflow car park and the new car parking area would be surfaced with a permeable compacted gravel. Associated drainage and landscaping is also proposed.

3.0 PLANNING POLICY AND LEGISLATIVE FRAMEWORK

- 3.1 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
- 3.2 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
22/01011/FUL	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.	Refused	14/12/2022

5.0 CONSULTATION RESPONSES

Carsington and Hopton Parish Council

5.1 Background

This is the second application in relation to this site by Caffeine & Machine. Since the initial application was refused the Knockerdown Inn has reopened and is currently running as a local pub with a caravan and camping site in the surrounding fields. The Parish Council have endeavored to look back over the planning history of this site and have found it difficult to establish what permissions currently exist. On DDDC's website there is reference to old applications but understandably the associated documents are not always available to view. Our investigations conclude that there does not appear to be a permission to run a caravan and camping site and importantly for the current application, the area stated as an existing overflow car park, does not appear to be the subject of any relevant permission either.

In the absence of vehicles, caravans and tents the site is still one of open fields and consistent with what is assumed to be its official use, that of agriculture. It is possible that there is an establishment of an existing use in relation to the camp site however, whilst it has been run for many years as such, historically the campsite was closed completely during the winter months with the pub only opening sporadically for local trade. There is also the fact that when the applicants took ownership the pub and camping site was closed for approximately a year. The Parish Council would contend that in view of these cessations an established use cannot be said to have been acquired. Likewise in relation to the overflow carpark it cannot be seen how any rights have been acquired with the passage of time not only for the same reasons outlined above in relation to the campsite but also the transient nature of vehicles coming and going and the fact that the area containing the overspill was very rarely employed as such. This is borne out by the fact that current observation of that area shows that it is often used for camping rather than parking.

Residents' Concerns

As with the initial application the Parish Council have been approached directly by residents expressing their concern regarding this second application.

It is felt locally that whilst this application makes no mention of running the venue in the same vein as the sister site in Warwickshire, that the number of proposed car parking spaces and hardscaping required is more consistent with that for a motor vehicle related “theme pub” for enthusiasts, rather than it continuing to be run as it is now, offering camping and caravanning and as a community pub. As such it has been stressed to the Parish Council that ultimately it is felt that the applicants are seeking to achieve the same outcome as requested in the refused application, albeit incrementally.

The objections made previously by the local community in relation to safety issues arising from the already very busy B5035 remain. Since the last application there have been several accidents along this stretch of road with only very recently 3 accidents in a 2 week period at the Hopton end. The dam wall road suffers similar problems relating to speeding vehicles and being used as an unofficial racetrack particularly in the evenings.

Residents are also worried about the noise levels from cars and motorbikes destroying the tranquility of the area. Concerns have been raised as to the creation of a second access so close to a major junction.

The Parish Council notes the large volume of representations made by local people already logged by the Planning Department setting out their extensive concerns and objections to the scheme.

The Parish Council have not received a single message of support in relation to this proposal.

The Parish Council's Response

The creation of additional parking and the “formalisation” of existing overspill carparking is strongly resisted by the Parish Council. We know of no other local public house or restaurant in the area with parking for such a large number of vehicles. The Knockerdown Inn has run a large-scale camping and caravanning site over the years and has been exceptionally busy in the summer months. We did not receive any reports from local people regarding vehicles being parked on the surrounding roads and verges during these busy times. It is therefore deemed that the parking as existing on the site is sufficient for this business.

The Parish Council is particularly concerned about the impact of creating such a large-scale carparking area and the nature of the proposed materials and lighting scheme. It is noted that Policy S1 of the Adopted Derbyshire Dales Local Plan (2017) states that a development should conserve and where possible enhance the natural and historic environment within the plan area. Further in accordance with Policy PD5 (Landscape Character) that development which would harm or be detrimental to the character of the local area and wider landscape should be resisted. This site is in open countryside. The land which is the subject of the application is believed to be classified formally and has the appearance of agricultural fields. The planning officer's report in relation to the first application stated that the siting and amount of hard surfacing proposed gave rise to significant concerns. “The surrounding area is rural in character due to the grassland which surrounds the existing public house. The introduction of a new asphalt carpark is considered to result in a significant urbanising effect that would be incongruous in this context.” The Parish Council contend that these concerns remain. The site can be viewed from the road and the public right of way along with views from further afield and the overall effect of tarmacked carparking is completely out of keeping with the area.

The Parish Council remains concerned about the impact that any increased motor vehicular activity will have on noise pollution and also the light pollution which the associated lighting scheme will produce.

The Parish Council question the sustainability of this location for further development in the manner requested. As with the original application the Parish Council is still 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. By increasing the number of parking spaces this can only increase the number of vehicles coming to the site which in turn does nothing to promote alternative modes of more sustainable transport in fact quite the reverse. 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.

Conclusion

The Parish Council strongly object to the application and summarise the objections as follows: -

It is believed that the area used as overspill carpark does not have the benefit of any planning permission and is therefore still agricultural field as must be the other area of field which it is proposed to turn into a carpark. Any application to turn fields into tarmacked hardstanding at a time when biodiversity needs enhancing and protecting should be resisted.

The volume of carpark spaces requested for this small country pub is wholly inconsistent with the scale of operations being run from there.

The large area of hardscaping and proposed lighting scheme will have the overall effect of urbanising what is a rural area attracting visitors for the outstanding countryside which surrounds this site. The impact of these proposals would in the parish council's view impact detrimentally not only on the landscape but also on the amenity of the residents by encouraging more motor vehicles into the area.

The Parish Council believe that any further development on this site should be viewed as unsustainable as its focus is entirely on motor vehicles which is entirely inconsistent with Derbyshire Dales Green policies.

Environment Agency

- 5.2 We have reviewed the submitted documents and on this occasion the Environment Agency will not be making any formal comment on the submission for the following reason:

The development falls within flood zone 1 and therefore we have no fluvial flood risk concerns associated with the site.

There are no other environmental constraints associated with the application site which fall within the remit of the Environment Agency. If, however, the proposal subsequently changes such that you feel that it may pose a significant environmental risk then please do not hesitate to contact us and we will be pleased to review our response.

Derbyshire County Council (Highways)

- 5.3 The application is for the formalisation of an overflow carpark, additional parking and a new vehicular access point onto the B5035. The Highway Authority has previously commented on application 22/01011/FUL which was for change of use of the public house to multi use, a new coffee shop, additional parking, and a new vehicular access. Whilst this application

omits the change of use and the new coffee shop the access details remain the same and parking layout have been amended. Given that there were no previous highway objections to the proposal, this current proposal remains acceptable. (Subject to conditions).

Derbyshire County Council (Rights of Way)

- 5.4 14/06/2023: I can confirm that Carsington Public Footpath No. 8 runs through the proposed development site, as shown on the layout plan submitted with the application. I understand that the used line of the path differs from the legal line, perhaps because path users have had to walk around parked cars in the past, and that the applicant has already been informed of the possibility that that route may also have acquired rights. It is therefore possible for someone to claim the route as a public right of way.

In order to retain the footpath on its legal alignment, as is the intention, it would be necessary to provide a safe, pleasant corridor through the car park, with safety mitigation measures in place at any vehicular crossing points, including giving priority to pedestrians. The number of crossing points would also need to be kept down to an absolute minimum. The reason for this is to protect the footpath from obstructions such as parked cars, and to ensure the safety of path users whilst not reducing their enjoyment of the path. Where the path crosses boundaries, the least restrictive boundary crossing must be chosen (that would still enable stock control if needed), such as a pedestrian gate, wicket gate or kissing gate to British Standard 5709:2018. Details are required of precisely how the footpath will be incorporated, including the surfacing and width (the minimum of which must be 2 metres), and proposed boundary crossings. Details are also required about how cars will be prevented from crossing the path, other than at designated crossing points, and how the crossing points will be managed. These details are required before full comment can be made.

03/08/2023: Please consider the following comments as a response to the amended plans provided by the applicant on the 28th July 2023. The amended plans, specifically plan 6902 P 502-200 P Site, should be accompanied by a condition of permission, which stipulates that a detailed technical note relating to footpath 8 be agreed with DCC PROW, prior to any works commencing. In addition, we would request that parking spaces are clearly marked out, to discourage vehicle users from parking in an ad hoc manner, which would be more likely to result in the footpath itself becoming a parking space.

Derbyshire Wildlife Trust

- 5.5 We have reviewed the Preliminary Ecological Appraisal and Bat Roost Assessment (Arbtech, May 2023). This application comprises a smaller footprint than the previous application at the site, which the Trust commented on in 2022. The Arbtech report is well-detailed, and we agree that protected species constraints within the current footprint of works are limited.

As per our previous response, a method statement approach to safeguard Great Crested Newts (GCN) is acceptable, however if individuals were found during works, delays may be incurred whilst a suitable way forward is agreed. This approach would also safeguard reptiles. Precautionary approaches to safeguard badgers and hedgehogs are also outlined in the ecology report.

The pub building has moderate potential to support roosting bats. Given that no works to the building are included within this application, no further surveys are required. However, they are likely to be needed prior to any future renovation works. We welcome the proposals to provide bat and bird boxes as part of proposals.

The external lighting plan Rev. A (6902(P)23_503-200) details low level lighting in the car parking area and entrances / walkways. These appear reasonable and in line with our previous comments. Lightspill has been restricted to necessary areas within the footprint

and avoided to the eastern grassland fields and further eastwards to Carsington Reservoir. The lighting plan should be secured via a compliance condition.

The proposed tree and hedgerow planting is welcomed, and we note that all existing mature trees will be retained. However, proposals would result in the loss of 0.2 ha of 'other neutral grassland'. Some wildflower grassland is proposed alongside the new access, but this will be limited in extent. We advise that some additional enhancement of the remaining grassland within the site should be included within proposals to compensate for this loss. This could be achieved along the margins of the other fields or in the area of the wildlife pond.

Derbyshire Dales Ramblers

- 5.6 Ramblers Derbyshire Dales Group objects to this application for a carpark:
- I. Carsington FP 8 runs across the site. A car park would interfere with both the enjoyment and safety of pedestrians and walkers.
 - II. Moving vehicles would not be appropriate for this Right of Way
 - III. FP 8 should remain unaffected at all times, including the route surface, both during and after any development
 - IV. A tarmac surface of the Definitive Map FP line is adverse for walkers.
 - V. Any encroachment of the route would need consultation and permission with/from the DCC Rights of Way Team

Peak District National Park Authority

- 5.7 Derbyshire Dales District Council should have regard to the purposes of a national park in determining the application, pursuant to Section 62 of the Environment Act, because the proposed development is close to the boundary of the Peak District National Park. The purposes of a national park are: (i) to conserve and enhance natural beauty, wildlife, and cultural heritage; and (ii) to promote opportunities for the understanding and enjoyment of the 2 park's special qualities.

The issues raised by the Peak District National Park Authority in its comments on the previous application (22/010111/FUL) have not been addressed. The development would have a negative impact on the tranquility of the Peak District National Park. 'Tranquillity' is one of the Peak District's special qualities. Large numbers of vehicles will be attracted to the site. We are particularly concerned that it will lead to leisure driving in performance cars onto the Peak District's quiet lanes, because of the 'challenge' such roads present. Such roads are already busy with a mix of users, including cyclists and pedestrians.

Peak and Northern Footpath Society:

- 5.8 I strongly object to this application. Carsington Footpath 8 currently runs over the grassed area of the former camp site. Use of the path by walkers has co-existed with the use of the land by tents and caravans. The proposed development would mean that the path ran over a tarmac car park, with a total loss of amenity value for walkers, as well as the intrusion of multiple vehicle movements and the danger from vehicles. The whole scheme needs to be re-planned to ensure that the value of the path remains.

Tree and Landscape Officer (Derbyshire Dales)

- 5.9 Trees and hedgerows

The site contains no trees currently subject to DDDC Tree Preservation Order and the site is not within a conservation area.

The submitted Arboricultural Impact Assessment indicates recommended removal of only a single tree, and this is unrelated to the proposals. All other trees and hedgerows on and around the boundaries of the site are indicated for retention.

I recommend that for long-term retention to be successful no development be planned within the root protection areas (as defined by BS5837:2012) of the retained trees and hedgerows.

The submitted Tree Protection Plan shows the location of temporary tree protection fencing around 1 tree (T10). The specification for the fencing is appropriate. The proposed fencing locations have been devised to facilitate the proposed installation of new surfacing to be laid in part of the root protection area of the tree. A recommended specification for a special type of surfacing (No-Dig Surfacing) is provided on the submitted Tree Protection Plan.

The specification for the No-Dig Surfacing would theoretically allow it to be installed without harm to the tree but it seems unnecessary for this small part of the car park to be formed so close to the tree. Only a relatively small area of the proposed car park lies within the root protection area, and I suggest that the layout plan be modified slightly to exclude all development from this trees root protection area. If this could be agreed with the applicant then the fencing could simply include all of the root protection area of this tree, which would be much preferable in terms of tree protection.

The submitted Tree Protection Plan does not show any temporary protection fencing for the retained hedgerows. I recommend that all retained hedgerows within and forming the boundaries of the site should be protected with the same specification of fencing as provided for T10. The fencing should be located 3m from the stems of the hedgerows with no development (including new surfacing) within the protected areas. This may need the proposed surfacing to be pulled back slightly from the hedgerows if sufficient distance between the hedgerows and the proposed new surfacing does not exist in the current proposals. Alternatively, the 'No Dig Surfacing' specification as provided on the submitted Tree Protection Plan should be used if surfacing cannot be avoided within the root protection areas of the hedgerows.

Landscape

The site currently consists of grassy paddock which appears to occasionally be used for car parking for the pub and/or the campsite attached to it. It is clearly visible from the adjacent road from which it is separated only by a low hedge and narrow verge. The proposed formation of a surfaced parking area will impact the views of road users from the road out over the surrounding countryside across the site, particularly when cars are parked on the site. Views from the road across the site are currently open and long distance giving the impression of being in the countryside. In my opinion the proposals will have a significant negative impact on the views from the road and the character and appearance of the site when viewed from the road.

The roadside hedgerow could potentially be managed to grow taller and thicker to provide some screening of the development from the road, but this would also obscure the current long-range views and so would not necessarily be beneficial.

I am also concerned about the size of the proposed car park, which seems perhaps excessively large for a country pub. I recommend that the size of the car park be limited to that which is absolutely necessary to accommodate cars of customers at the pub, thereby minimising its impact in the countryside.

The proposed surfacing of the car park appears to be gravel. I recommend that its visual impact could be reduced by replacing this with 'grassblock' (see <https://grasscrete.com/grassblock/>) or similar system, that allows the surface to be resistant to compaction and erosion caused by vehicle movements while allowing grass to grow through. This would reduce the visual impact of the change to the existing grassy paddock.

Environmental Health (Derbyshire Dales)

5.10 I have no objections to this application in principle.

Councillor Lucy Peacock:

5.11 I have spoken to many residents about the proposed development.

Several Middleton residents are in support of the new exit since visibility on exit from the current access point is poor.

However, residents in Middleton and especially Carsington are concerned about possible increases to traffic which increased capacity at the Knockerdown car park might bring. Traffic increases to fill the space allocated to it. The reason this is potentially a problem is that there are 5 pedestrian crossing points in the area, which are potentially dangerous as it is - 4 of the crossings are situated near a bend, resulting in poor visibility, and signage is often obscured by overgrowth. Since this is the case, a possible mitigating measure might be additional / improved signage for the crossings and ideally rumble strips at the approach to the crossings on bends, which would warn drivers and would also alert pedestrians to the presence of vehicles not yet visible.

The signage should be improved anyway, and I'm going to contact DCC separately about that.

6.0 REPRESENTATIONS RECEIVED

6.1 Representations (in some cases multiple) have been received from 117 individuals in objection to the proposed development of which 27 are non-attributable. Comments have also been received from Derbyshire Dales Climate Hub, CPRE Derbyshire, Biggin Parish Council, Hognaston Parish Council, Brassington Parish Council, Bradley Parish Council, Tissington and Lea Parish Council, Kirk Ireton Parish Council and Kniveton Parish Council. A summary of the representations is outlined below.

Objections:

- The application is no different to the previously refused application.
- The public house cannot justify this level of car parking.
- Concerns regarding the level of noise from the site.
- The transport statement states that 100% of visitors would be by car which was not the case previously where visitors would walk from nearby caravan sites.
- The additional exit onto the highway is not required.
- The proposal is centred around the private car and cannot therefore be considered sustainable.
- The controls in place at the Caffeine and Machine operating site are unsuccessful.
- Concerns regarding the safety of highway users and pedestrians.
- The application is a piecemeal approach to the previously refused scheme.
- The idea is good but the venue is wrong.
- The application would result in increase noise and pollution in the area.
- The aim should be to encourage the use of public transport.
- The application will be detrimental to the health and wellbeing of people and detrimental to tourism.
- Concerns regarding the urbanisation of the landscape and the impact of the development on the character of the landscape.
- Other nearby pubs with more trade operate with smaller car parks.
- The development would adversely affect the Peak District National Park.
- Concerns regarding the increased level of light pollution.
- The application will result in nuisance to local farmers
- The development would not serve local people.

- The development will lead to encroachment in the countryside away from buildings contrary to policy S4.
- Concerns regarding the development encouraging racing on nearby roads.
- The previous reasons for refusal still apply.
- Concerns regarding the impact on wildlife and habitats.
- The proposed carpark/pub isn't accessible by a variety of transport modes and does not promote opportunities for sustainable transport and seeking minimal reliance on the private car.
- The addition of a knee rail would not increase the safety of walkers along the footpath.

Non-attributable objections:

- The application goes against all aspects of climate change.
- Concerns regarding noise and air pollution.
- Concerns regarding potential loss of habitats.
- Concerns regarding the urbanising impact of the development and harm to the landscape.
- All objections to the previous application remain valid.
- The development would harm the tranquillity of the area which attracts visitors.
- Concerns regarding highway safety.
- The level of parking proposed is not required by the operation of a pub.

A petition signed by 196 people in objection to the proposed development has also been received.

6.2 Derbyshire Dales Climate Hub:

The Derbyshire Dales Climate Hub objects to this application on the basis of: Environmental damage; ecological and community disturbance.

The application site is close to Carsington Water, which is a large reservoir surrounded by wildflower meadows, native woodlands, ponds and reed beds. The visiting public enjoy the tranquillity of the area to participate in cycling, bird watching, fishing, walking, horse riding and water sports. Carsington Water has become a haven for birds and wildlife and its beautiful natural surroundings attract about a million visitors a year. The Knockerdown was run for many years as a Public House with camping facilities, its services and its patrons' enjoyed activities that sat comfortably alongside those of Carsington Water and the wider rural area.

The Knockerdown Public House operated without causing any annoyance to neighbours or to local villages. It did not disturb the breeding bird or wildlife populations. Nor did it emit pollutants or cause traffic hazards or congestion. By contrast the applicant proposes a development that will be in conflict with the treasured amenities above. In particular the proposed development will not support any of the District's Local Plan or the community aspirations for enhanced biodiversity, a healthier population, a safer place to live and a low carbon sustainable economy.

The proposed development sits in conflict with the environmental objectives as laid out in the Local Plan and National Planning Policy Framework. An environmental objective sets out to protect and enhance our natural, built and historic environment, including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

The applicant's proposed development and business aims are diametrically opposed the principles of sustainability.

6.3 Biggin Parish Council:

We strongly object as this application by Caffeine and Machine will affect all neighbouring parishes and their residents and the community on a whole and Business's.

This application is not sustainable and proposes further urbanisation to this site affecting essential wildlife and the character and appearance of a country public house set in a quiet rural part of Derbyshire where local walkers, cyclists, and horse riders along with visitors enjoy the open countryside and the facilities at the Carsington reservoir.

The business of the applicants Caffeine and Machine caused great distress and objection with their first application, this type of business is not suited to this area and would destroy the current peaceful countryside location, it would massively affect local business, deterring visitors and holiday makers from visiting this area.

Air quality would be reduced and a general disturbance to the rural environment of Carsington and the villages around.

This proposed business would not sit well in the rural countryside and would harm the character and appearance, it would deter wildlife and generally cause disruption.

The previous application was refused with great relief to all and now a second application has been submitted with a different approach.

Increased parking seems unnecessary for the size of the pub/restaurant here at the Knockerdown which is a relatively small establishment and gives the impression the applicant is now taking incremental steps to obtain the planning requirements desired bit by bit resulting in the previous application.

Other public houses in the area have similar sized car parking to what is currently there at the Knockerdown and is sufficient and retains the rural character.

The Knockerdown pub has been a great family pub for many years and serving locals, holiday makers and families and has been a great loss since closing particularly to nearby campsites. The renovation of this pub and opening to serve locals and families as well as holiday makers would be welcomed however the applications once again by the owners are strongly opposed and destructive to the community.

Caffeine and Machines business proposal would require removing grassland and hedges to replace with stone and created a hard surface of which is not sustainable, and we need to retain grassland for drainage as well as our wildlife of which are of great importance to the climate change.

The additional entrance /exit from the B5035 along with increased vehicles attracted to this business would cause further harm and potential accidents with not only other motorists/motorcyclists but this road is regularly used by cyclists, pedestrians, horse riders. The proposed second entrance would increase the danger of highway accidents; it sits very close to the junction to the Carsington bypass. This is an extremely busy rural road with not only vehicles but pedestrians and cyclists as well as horse riders and motorcyclists.

The pull out from the junction is difficult at present, with an almost crossroads layout so an additional entrance would escalate this.

In conclusion the Biggin Parish meeting representing residents from the parish strongly ask for this application to be refused.

6.4 CPRE Derbyshire:

I am writing on behalf of CPRE Derbyshire, the countryside charity, to register an objection to the above planning application. We objected in the strongest terms to the previous application for this site (22/01011/FUL), on the grounds that the size and nature of the development would be damaging to the rural nature of the area, and contrary to policy in relation to development in the countryside. We are concerned that this latest application, to increase the size of the hard standing parking area from 29 to 99 spaces, is not justified for the purpose of supporting a rural pub business and may be an indication of the applicant's intention to establish a much larger, car-based facility there in the future.

Derbyshire Dales planning policy, as outlined in the adopted Local Plan, is to support the provision of car parking spaces only insofar as they are necessary to support local business or residential facilities. Since the Knockerdown pub has operated successfully in the past with the current car park size, this massive increase does not appear to be necessary. A modest increase, provided the new spaces were accommodated on permeable grass-based surfaces and landscaped effectively, may be justified, but the business reasons would need to be clear from the outset and explicit conditions attached as to the future use of the business premises.

In our view, the reasons for the refusal of the previous application for this site are still relevant. The expansion of a car-based facility on this site would constitute an unsustainable form of development in the countryside and be contrary to both local and national policy. In our previous objection, CPRE Derbyshire set out our views on the character and tranquillity of this area and the ways in which these would be damaged by inappropriate development on the Knockerdown site. We believe these current proposals are not justified and would encourage unwarranted road traffic and noise into the local and surrounding communities.

6.5 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. The Parish Council agreed to object to the application for the following reasons:

Road safety and highways concerns

- The proposed development will significantly increase the number of visitors and vehicles into the area. With plans for 99 parking spaces, there will be a substantial increase in traffic volumes and risks to road safety.
- The plans will leave the site with two entry points onto the main road. The existing one already has poor visibility and the second one will be no better. Furthermore, there are already 8 junctions within 1 kilometre of the site and more will only create further highways safety concerns.
- Speeding along the Dam Road, the B5035, through Hognaston and all nearby villages, is an existing and serious problem. The proposals will attract more high-performance vehicles and motorbikes which will increase the risk to pedestrians and other road users.
- 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.
- The site lies within an agricultural area that has large agricultural vehicles and horse riders using the roads. Traffic, therefore, needs to be kept to a minimum.

Objections to development of the site

- The Parish Council notes that the applicant applied for planning permission on this site several months ago, but for a much larger commercial development. This was refused by the Planning Committee. The Parish Council is concerned that the applicant is still intent on developing this site beyond the car park and as previously planned. The applicant is attempting to get planning approval using a piecemeal approach.
- The proposals raise concern about the creeping urbanisation and development of the open countryside around Hognaston and Carsington. The area is already losing its identity as a tranquil, rural setting and place to live.
- The increase in car parking will lead to 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.
- Development of the site will increase noise and light pollution in the open countryside. Residents living in nearby villages are already subjected to this and the proposals will only exacerbate the existing problem.
- 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.

6.6 Bradley Parish Council:

I have been tasked by my Council to submit an objection to the above application on grounds of scale, impact on local amenities/environment and sustainability.

6.7 Brassington Parish Council:

The objections to this application come from a majority of councillors (4 against; 2 for; 1 abstention).

- The application calls for an increase from 29 to 99 parking spaces. There is no evidence of need given for such an increase.
- The pub has always been very successful, and the parking has always been sufficient for those people who travel by car.
- A large number of visitors walk or cycle, negating any need for more parking space.
- The resulting increase in traffic and the proposed entrance/exit onto B5053 in the vicinity of an already busy road will not only urbanise the area, but also severely heighten danger to walkers, cyclists and horse riders in what is at present a rural area of character and attractive landscape.
- The new development would result in the public footpath running through the car park. Walkers would have to navigate potential danger from cars reversing and parking.

6.8 Tissington and Lea Hall Parish Council:

Tissington & Lea Hall Parish Council wish to object to this application on the grounds that it will bring urbanisation of the countryside and will have a detrimental impact on the locality and local road networks. The Parish Council does support most commercial businesses however they are against this application for the reasons mentioned.

6.9 Kirk Ireton Parish Council:

Kirk Ireton Parish Council wishes to object to this application as Councillors consider that the size and nature of the development would be damaging to the local area and will greatly increase the amount of traffic on an already busy and dangerous road and is likely to encourage additional traffic of the narrow lanes to nearby villages.

6.10 Idridgehay & Alton and Ashleyhay Parish Council:

I'm writing to you on behalf of Idridgehay & Alton and Ashleyhay Parish Council; following the Councils last meeting, the Council agreed to contact DDDC to comment against the approval of the following planning matter: 23/00566/FUL.

In summary, the Council is opposed to the approval of planning permission for the development on the following grounds of concern: Noise pollution, light pollution, and the impact on the rural character of the surrounding area.

The Council believes that potential noise pollution generated by the site would have a detrimental impact on the amenity of residents of the area and the potential to impact further afield as to concern local parishioners. Furthermore, the Council is concerned that the noise pollution caused by the potential traffic and events would have an adverse impact on the local wildlife in the immediate area of the development.

In regard to the Council's concerns about the development's potential to inflict light pollution and its impact on the rural character of the area, the Council believes explicitly the amount of lighting proposed for the public areas, and the uplighting of the trees within the development would be more in keeping with an urban town area, rather than that of the current rural countryside location which the proposed site resides in, as well as further impacting the local wildlife.

It is also the view of the Council that the development has given no consideration to the impacts the site would have on the local rural countryside or offered any means by which to mitigate the impact the site would have on the aforementioned areas of concern as would be expected in accordance with the National Planning Policy Framework.

6.11 Kniveton Parish Council:

All members were unanimous in their objections. This scheme is similar to the previous application which was rejected by the planning committee in December 2022.

The new application increasing hard standing parking to 60, making a total of 89, is completely unacceptable and is virtually the same application as before, but without the new building. In simple terms, applying by stealth.

The additional entrance/exit onto the B5035 will result in further accidents. The road is extremely busy already with motorcycles causing unnecessary speed and noise on their way to Matlock Bath. The road is currently used by cars, cyclists, horse riders and pedestrians.

The new development would result in the footpath running through the car park and pedestrians having to navigate dangerous movements from high performance vehicles. The Knockerdown was always a successful pub, never needing a huge increase in parking.

The Local Plan states the policy numbers this application should conform to and should only represent sustainable growth in tourism in locations where needs are not met by existing facilities in the area. This application does not conform to these policies and is totally unsustainable.

This development will bring absolutely no benefits to the area and will only attract high performance car enthusiasts who do not live here, but create danger for those of us who do, together with CO2 emissions, road dangers and no footpaths.

We live here because we love the countryside and tranquillity which we must fight to maintain. for ourselves and for the many visitors who chose to come here because of it. Kniveton Parish Council ask you to record our objections to this application.

7.0 OFFICER APPRAISAL

7.1 This application follows the refusal of planning permission under application ref. code 22/01011/FUL for the change of use of the existing 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. The 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. This application was refused for the following 3 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).*

7.2 This application relates solely to the creation of new vehicular parking, creation of a new vehicular egress onto the B5035 and associated landscaping and drainage. There is no longer any change of use of the existing public house, or any additional buildings proposed and any impact of such a change of use or new buildings are therefore no longer matters which are material to the consideration of this application. As there is no change of use or increase in floor area of the public house, it is considered that the proposed development cannot constitute an intensification of the existing business.

7.3 On the basis of the above, the matters which are considered to be relevant to this application are considered to be:

- The principle of development
- 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 development

7.4 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).

7.5 Policy S4 outlines a number of types of development which would be acceptable in countryside locations. Of most relevance to this particular case following the omission of any proposed new buildings, change of use of the pub or intensification of the site, policy S4 states that planning permission will be granted for development where:

- 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.

- 7.6 Concerns have been raised by local residents with regard to the principle of the proposed level of parking being provided to serve the public house which has previously operated successfully with the existing 29 space car park and 38 space overflow. Policy HC21 (Appendix 2) of the Adopted Derbyshire Dales Local Plan (2017) relates to car parking standards and sets out the maximum parking standards for various uses of building.
- 7.7 In relation to food retail units these maximum standards only apply over a threshold of 1000m² of gross floor space. There is no threshold for public houses and in any case the Knockerdown falls well below the threshold for retail units. There is therefore no maximum level of vehicular parking outlined with the Local Plan. Therefore in principle the proposed development is acceptable subject to an assessment of impact as required by policy S4 and other material and technical issues.

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

- 7.8 A key consideration in respect of this application is the impact of the development on the local landscape and character, identity and setting of the existing settlement. Policy S1 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.
- 7.9 Policy PD1 requires all development to be of high-quality design that respects the character, identity and context of the Derbyshire Dales' townscapes and landscapes.
- 7.10 Policy PD5 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.
- 7.11 In this case, the site is visually prominent from both the B5035 and Carsington public footpath 8 which crosses the site. It is also noted that concerns have been raised by both local residents and the Tree and Landscape Officer (Derbyshire Dales) regarding the visual impact of the proposed development.
- 7.12 There is an existing low-level hedge along the edge of the B5035 which would partially screen views of the newly surfaced overflow car park and the proposed extension to the car park. This hedgerow would be further strengthened by additional tree planting both along the boundary and within the site. The proposed car park is largely in line with the existing hard surfaced car park to the north and there is minimal encroachment into the countryside to the east of the site and a logical visual boundary to the development created with the countryside beyond. The proposed development would closely reflect the parking facilities on the opposite side of the B5035 which serves the Knockerdown Holiday Cottages both in terms of visual appearance and the crushed gravel finish of the surface.
- 7.13 Based on the above, it is considered that subject to the proposed landscaping being secured by condition the proposed development would have limited impact on the character and appearance of the site and would not unacceptably encroach into the countryside in accordance with policy S4.

Impact on residential amenity

- 7.14 Policy PD1 of the Adopted Derbyshire Dales Local Plan 2017 requires the development "achieves a satisfactory relationship to adjacent development and does not cause unacceptable effects by reason of visual intrusion, overlooking, shadowing, and overbearing effect, noise, light pollution or other adverse impacts on local character and amenity"
- 7.15 Due to the isolated location of the site, there is not considered to be any overlooking or overshadowing caused by the development. The main concerns raised by local residents relate to noise and light pollution from the development.
- 7.16 The proposed external lighting is set out on the submitted plan 6902(P)23_503-200 (A) and seeks to minimise direct upward light in an attempt to reduce light pollution from the site. The lighting proposed is contained to low level bollards within the car parking area and low-level lighting at the entrance to the site. 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. The proposed external lighting is not deemed to result in any excessive light pollution in the area.
- 7.16 With regard to noise pollution, significant concerns have been raised due to the potential nature of the business encouraging various types of cars for display and the potential for associated noise from such vehicles. In this regard, planning permission is sought solely for the extension to the car park and associated works, there is no change of use of the site proposed.
- 7.17 The Local Planning Authority must determine the application on its own merits and on the basis of material planning considerations and not on the basis of the identity of the applicant or any particular occupant. Any planning permission runs with the land and the occupant of a development will typically change over time. There is no control over the type of vehicles in which members of the public will visit the public house. The Local Planning Authority cannot assume that visitors to the site would engage in anti-social behaviour or that vehicles would be leaving the site in a loud and unsafe manner as has been suggested in the representations received. If this were to occur it would be a matter for the police and/or Environmental Health under environmental health regulations with regard to any noise nuisance arising.
- 7.18 Overall, the proposed development is considered to retain a satisfactory relationship with surrounding developments and residential properties. The development is therefore considered to remain in accordance with policy PD1 of the Adopted Derbyshire Dales Local Plan (2017).

Impact on highway safety

- 7.19 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.
- 7.20 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".
- 7.21 The application has been submitted alongside a transport statement (DTA, 2023). Comments have been received from the Local Highway Authority having regard to the submitted plans and transport survey. The Local Highway Authority had no objection to the

more significant development proposed under 22/01011/FUL and have similarly concluded with this reduced application that subject to conditions, the development would not have a significant adverse impact on capacity or safety of the local road network.

7.22 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 biodiversity

7.23 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.

7.24 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.

7.25 The applicants have provided a Preliminary Ecological Appraisal and Preliminary Roost Assessment (Arbtech, 2023) which has been considered in the formal consultation response from Derbyshire Wildlife Trust. It is accepted by Derbyshire Wildlife Trust that subject to the development being carried out in accordance with the recommendations within the submitted assessment that the development would not result in any adverse impacts on any protected species on site.

7.26 Given the loss of 0.2 ha of "other neutral grassland" as a result of the proposed development it is also considered to be necessary to secure the proposed enhancement measures identified by the submitted report by condition.

7.27 Subject to the above conditions, the proposed development is not considered to result in any adverse impacts on any protected species or other wildlife on site and would therefore be in accordance with policy PD3 of the Adopted Derbyshire Dales Local Plan (2017) in this regard.

Other Issues:

7.28 The Peak District National Park Authority have raised concerns that the development will result in leisure driving in performance cars on the quiet lanes within the National Park. Such activity will result in harm to the tranquillity of the Peak District National Park and detriment to users of the highway network including cyclists and pedestrians.

7.29 The Local Planning Authority is obliged to have regard to the purposes of a the Peak District National Park in determining the twin purposes of a National Park are: (i) to conserve and enhance natural beauty, wildlife, and cultural heritage; and (ii) to promote opportunities for the understanding and enjoyment of the Park's special qualities. This is reflected in Local Plan policies which seek to protect the setting of the Peak District National Park.

7.30 The application site is located approximately 3.2km (2 miles) from the boundary of the National Park (measured in a straight line to the nearest point). It is therefore unlikely that the development would lead to any direct impact upon the National Park. The concerns in regard to traffic travelling to or from the application site are understood. However, as set out

above the site has a lawful use as a public house and this application does not propose any change of use. There is no control over the type of vehicles in which members of the public will visit the public house. The Local Planning Authority cannot control which route visitors would approach or leave the site or assume that visitors to the site would engage in anti-social behaviour or that vehicles would be driven in the local area or National Park in a loud and unsafe manner. The development would therefore not result harm to the special qualities of the National Park.

7.29 Associated with the increased level of vehicular parking on site the applicants are proposing to install 5 electric vehicle charging points and a sustainable urban drainage system to serve the development. It is considered that these measures would be commensurate with the scale of the proposed new car parking facility and would be acceptable in terms of mitigating the effects of climate change in line with the aims of policy PD7 of the Adopted Derbyshire Dales Local Plan (2017) and the Climate Change SPD (2021).

7.30 Concerns were initially raised regarding the potential obstruction of the Carsington public footpath route 8 which crosses the site. Amended plans have since been received from the applicants which include a revised layout and the loss of 10 parking spaces in order to allow for a 2m wide, gravelled route through the site with a knee rail either side to protect footpath users from vehicles on site. As set out in the further response from the Rights of Way Officer (Derbyshire County Council), these amendments are considered to be sufficient in securing a continued safe and attractive route through the site following the development.

Conclusion

7.31 Taking the above into consideration and subject to conditions the application satisfies the relevant provisions of the Adopted Derbyshire Dales Local Plan (2017) and the policies within the National Planning Policy Framework (2021).

7.32 A recommendation of approval is put forward on this basis.

8.0 RECOMMENDATION

That planning permission be granted subject to the following conditions.

1. The development hereby permitted must be begun before the expiration of three years from the date of this permission.

Reason:

This is a statutory period which is specified in Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall not be carried out other than in accordance with the following approved plans:

(P) 23_300 1-100 Comparative Site Section 1 West Facing (A)

(P) 23_302 1-100 Comparative Site Section 3 East Facing (A)

(P) 23_501-500 1-500 Proposed Site Plan (A)

(P) 23_502-200 1-200 Proposed Site Detailed Plan (A)

(P) 23_503-200 1-200 Proposed External Lighting Plan (A)

(P) 23_504-200 1-200 Proposed Landscape Plan (A)

Reason:

For the avoidance of doubt and in the interests of the proper planning of the area.

3. Prior to the commencement of development, a plan shall be provided which outlines measures put in place to ensure the safety of footpath users during and following the development. Details should also be provided of new signage to warn users of the site of the presence of the footpath and the materials to be used in the construction of the new knee rail. The development shall thereafter be carried out in accordance with the approved details and maintained throughout the life of the development.

Reason:

To ensure the safety of footpath users in accordance with policies S4, PD1 and HC19 of the Adopted Derbyshire Dales Local Plan (2017).

4. Before any other works being commenced, excluding site clearance, the new access shall be formed to the B5035 laid out in accordance with the approved plans and provided with visibility sightlines of 2.4m x 122m (in a southerly direction) and 2.4m x 132m (in a northerly direction), the area in advance maintained free of any objects exceeding 1m in height (600mm in the case of vegetation) relative to the nearside carriageway channel level.

Reason:

In the interest of highway safety and in accordance with policies S4, PD1 and HC19 of the Adopted Derbyshire Dales Local Plan (2017)

5. Prior to the access being taken into use a package of signs/markings for the 'one-way' system shall be submitted for approval Once approved they shall be fully implemented on site prior to the access being taken into use and maintained thereafter.

Reason:

In the interest of highway safety and in accordance with policies S4, PD1 and HC19 of the Adopted Derbyshire Dales Local Plan (2017)

6. The access, the subject of the application, shall not be taken into use until space has been provided within the application site in accordance with the application drawings for the parking and manoeuvring of visitors/ staff/ customers/ service and delivery vehicles (including secure cycle parking), laid out, surfaced and maintained throughout the life of the development free from any impediment to its designated use.

Reason:

In the interest of highway safety and in accordance with policies S4, PD1 and HC19 of the Adopted Derbyshire Dales Local Plan (2017).

7. No vegetation clearance shall take place between 1st March and 31st August inclusive, unless preceded by a nesting bird survey undertaken by a competent ecologist no more than 48 hours prior to clearance. If nesting birds are present, an appropriate exclusion zone will be implemented and monitored until the chicks have fledged. No works shall be undertaken within exclusion zones whilst nesting birds are present.

Reason:

To preserve protected species in accordance with policy PD3 of the Adopted Derbyshire Dales Local Plan (2017).

8. The precautionary measures detailed in Table 8 of the Preliminary Ecological Appraisal and Bat Roost Assessment (Arbtech, May 2023) shall be implemented in full during site

clearance and development, to safeguard protected species and other wildlife. A statement of compliance shall be submitted to the Local Planning Authority upon completion of works to discharge this condition.

Reason:

To preserve protected species in accordance with policy PD3 of the Adopted Derbyshire Dales Local Plan (2017).

9. The enhancement recommendations detailed in Table 8 of the Preliminary Ecological Appraisal and Bat Roost Assessment (Arbtech, May 2023) shall be implemented in full during the course of the development and retained in perpetuity. A statement of compliance shall be submitted to the Local Planning Authority once all enhancement measures are in place to discharge this condition.

Reason:

To ensure a biodiversity enhancement in accordance with the aims of policy PD3 of the Adopted Derbyshire Dales Local Plan (2017).

10. All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first use of the new car park or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

Reason:

To ensure a satisfactory standard of landscaping in the interests of amenity in accordance with policies S4, PD1 and PD5 of the Adopted Derbyshire Dales Local Plan (2017).

9.0 NOTES TO APPLICANT:

1. The Local Planning Authority prior to and during the consideration of the application engaged in a positive and proactive dialogue with the applicant which resulted in the submission of a scheme that overcame initial concerns relating to the proposed impact of the development on the route of public foot 8 (Carsington) and the safety of users of this footpath.
2. 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.
3. Pursuant to Section 184 of the Highways Act 1980 and Section 86(4) of the New Roads and Streetworks Act 1991 prior notification shall be given to the Department; Place at County Hall, Matlock regarding access works within the highway. Information, and relevant

application forms, regarding the undertaking of access works within highway limits is available via the County Council's website <https://www.derbyshire.gov.uk/transport-roads/roadstraffic/licences-enforcements/vehicular-access/vehicle-accesses-crossovers-and-dropped-kerbs.aspx> emailing highways.hub@derbyshire.gov.uk or telephone Call Derbyshire on 01629 533190.

4. The application site is crossed by a Public Right of Way ((Carsington) Footpath No. 8), as shown on the Derbyshire Definitive Map. The route must remain unobstructed on its legal alignment at all times and the safety of the public using it must not be prejudiced either during or after development works take place. Further advice can be obtained by calling 01629 533190 and asking for the Rights of Way Duty Officer or by emailing ETE.PROW@derbyshire.gov.uk.
5. Pursuant to Sections 149 and 151 of the Highways Act 1980, steps shall be taken to ensure that mud or other extraneous material is not carried out of the site and deposited on the public highway. Should such deposits occur, it is the applicant's responsibility to ensure that all reasonable steps (e.g. street sweeping) are taken to maintain the roads in the vicinity of the site to a satisfactory level of cleanliness.