

To: Vicky Webb, Case Officer
Derbyshire County Council. County Hall, Smedley Street, Matlock, Derbyshire, DE3 4AG

Subject: Application for Planning Ref: **CD9/0222/34**. Proposal - conversion and extension of existing buildings to commercial use, and construction of access drive and car park

Dear Vicky Webb,

I wish to state my strongest objection to the planning application **CD9/0222/34** which refers to the conversion and extension of existing buildings to commercial use and construction of access drive and car park at Elvaston Castle Country Park, Borrowash Road, Elvaston, DE72 3EP.

My objection is founded on the belief that neither the road or roundabout are necessary, there is not a valid cost benefit and there will be a detrimental impact on the green belt, environment, woodland, wildlife, and community value.

The scale and size of the proposed development would have a disadvantageous impact in terms of:

- being contrary to national, regional or local planning policy, government circulars, orders.
- not in keeping with the stylistic context or scale of the local area.
- having a negative impact on the amenity of other properties, those adjoining Elvaston Country Park and the community of Thulston, through noise, light pollution, dust, vibration or potential late night activities.
- causing traffic problems such as traffic generation, access, safety problems, traffic flow or bottle necks creating congestions.
- having environmental health impacts such as the further reduction of green park space.
- impacting the wildlife conservation area by having the proposed car park adjacent to it.
- being an inappropriate development within a green belt.
- lack of insufficient landscaping with a loss of historic woodlands and the loss of wildlife habitats including protected bats.
- damaging the natural environment or will result in significant loss of trees or the loss of trees for which tree protection orders are in place.
- cumulative impact when considered alongside other developments and its adverse impact on the area.
- devastation to our communities by building on the high-risk flood area will result in flood defences ruining countryside. Flood water that could otherwise be attenuated by green space instead will result in run-off for the surrounding area and into rivers.

My objection is founded on national policies, South Derbyshire District Council plans and the Derbyshire County Council Cabinet.

At the Derbyshire County Council Cabinet meeting dated 10 September 2020¹, the Elvaston Castle Masterplan Delivery Programme was approved by Cabinet. At a previous meeting on 15 March 2018 the draft masterplan was approved by Cabinet (minute No. 80/18 refers) which contained guiding principles. I do not believe the planning application conforms to the following three guiding principles of that understanding (excerpt).

- The historic, landscape and biodiversity significance will be protected, conserved and, where sustainable, enhanced.

¹ Derbyshire County Council Cabinet, 10 September 2020, Agenda Item No.6(g).

<https://democracy.derbyshire.gov.uk/documents/s3935/Elvaston%20Castle%20Masterplan%20Delivery%20Programme.pdf> (pages 1,2)

- Financial sustainability will be fundamental to the delivery of the vision.
- People, community involvement and partnership working will be at the heart of all activities.

Taking each of these principles in turn I elucidate further on the evidence and basis of my objections.

1.The historic, landscape and biodiversity significance will be protected, conserved and, where sustainable, enhanced

Objection 1: The planning application will cause destruction to historical woodland and the loss of a variety of trees, shrubs, and wildlife, contrary to the above principles.

Evidence and basis of support of the above objection:

The Derbyshire County Council Cabinet Paper, from meeting on 10th September 2020 states “The Masterplan proposes a new access route running from a point on Shardlow Road, close to the South Avenue Gates, avoiding the South Avenue itself and instead crossing farmland and a small area of marginal woodland. The route will require planning permission and will be designed to minimise its impacts, especially where it crosses or is near existing pedestrian routes and Bridleways.”²

It is incorrect to refer to Rookery Wood in the above statement as a small area of ‘marginal woodland’. It is “Ancient Woodland (land that has had a continuous woodland cover since at least 1600 AD” – as indexed in the Local Plan Glossary³. This places some doubt as to the veracity of the statements made in the said document and thoroughness of the considered implications if the basic facts about the status of specific land parcels are factually incorrect. Furthermore, Rookery Wood is a natural centre of carbon sequestration which counters climate change and global warming. The possibility of future rewilding options in response to climate change is also curtailed.

Objection 2: The vision and local plan objectives for Derbyshire County Council as stated in the Adopted Local Plan Part 1 setting the long-term vision, objectives and strategy for the spatial development of South Derbyshire will not be fulfilled if the application for the new access road and roundabout is approved.

Evidence and basis of support of the above objection:

The application contradicts “The vision for South Derbyshire is one of sustainable growth, renewal and opportunity..... Climate change and adaption will lie at the heart of our strategy and residents and businesses will be supported to make efficient use of resources and cope with the effects of climate change which are already anticipated - such as reduced water availability and increased flooding.”⁴

“The countryside, rivers, green spaces and networks which connect them, together with the District’s cultural and heritage assets will have been protected and enhanced and the quality and diversity of the District’s wildlife habitats will have been improved. New development will reflect and

² Derbyshire County Council Cabinet, 10 September 2020, Agenda Item No.6(g).
<https://democracy.derbyshire.gov.uk/documents/s3935/Elvaston%20Castle%20Masterplan%20Delivery%20Programme.pdf> (pages 3,4)

³ <https://www.southderbyshire.gov.uk/assets/attach/1607/Glossary-for-Local-Plan-Part-1.pdf>

⁴ <https://www.southderbyshire.gov.uk/assets/attach/1770/Local-Plan-Part-1-Chapters-1-4.pdf> , (page 25, 3.3, para 1)

reinforce the District's many distinct landscapes and will protect the integrity of our most sensitive wildlife sites, landscapes, and heritage assets. South Derbyshire will have continued to be a major ingredient in the success of the National Forest and the District will have become an increasingly important tourist destination in the region."⁵

Objection 3: The application does not conform to Policy BNE7 Trees, Woodland and Hedgerows and BNE3 Biodiversity (missing from website) and there will be loss and destruction of a variety of trees (108), shrubs and plants (271) and wildlife habitats will be destroyed. Wildlife habitats include protected species such as eight types of bats, badger, harvest mouse, grass snake, great crested newt, slow worm, adder, viviparous lizard, moth, and butterfly.

Evidence and basis of support of the above objection:

It is not clear the application will follow (BNE7): "development proposals which will have a detrimental effect on important trees, woodland or hedgerows must satisfactorily demonstrate how the impact on biodiversity has been minimised and, wherever possible, a net biodiversity gain delivered through appropriate mitigation, compensation or offsetting, including through new planting or improved management of retained trees and hedgerows. New planting will be expected to be adequately managed to reach full maturity."⁶

In addition to the above the BSG report states several limitations as the extent of the proposed development was not known to the authors. Furthermore, it states that further surveys are required to gather more information. Drawing number ELV-DCC-01-XX-DR-C103 shows that there is still doubt as to the status of the trees along the line of the proposed road. In addition to the above the Wharnccliffe report identifies that the author was not provided with a full suite of proposed layout drawings and does not refer to drawing number ELV-DCC-01-XX DR-C-103 in their report.

This raises doubts as to the extent that this evidence can be relied upon in coming to a decision.

Objection 4: The repositioning of the car park will not alleviate the level of flood risk, particularly given the proposed car park is also within the flood risk area.

Evidence and basis of support of the above objection:

Elvaston Castle and Country Park was severely impacted by flood in 2020 and 2021 which is not acknowledged in the Flood Risk Assessment. Maintenance of the proposed attenuation design is also not identified, thereby not providing any confidence in the long-term suitability of its design.

I would ask South Derbyshire District Council and Derbyshire County to use any funds for a proposed road on flood defence mechanisms for the estate. As per the South Derbyshire Local Plan, Parts 1 & 2, Policies Maps⁷, Aston Flood Risk Areas, OS Licence No. LA 100019461.2014.

⁵ <https://www.southderbyshire.gov.uk/assets/attach/1770/Local-Plan-Part-1-Chapters-1-4.pdf> , (page 25, 3.3, para 2)

⁶ <https://www.southderbyshire.gov.uk/assets/attach/2523/Local-Plan-Part-2-reduced-file.pdf>, (page 40, Policy BNE7)

⁷ <https://www.southderbyshire.gov.uk/assets/attach/2526/Policies-Maps.pdf>, (page 4,5)

2. Financial sustainability will be fundamental to the delivery of the vision

The Masterplan to Derbyshire County Council Cabinet meeting dated 10 September 2020⁸, proposed “a new access route running from a point on Shardlow Road, close to the South Avenue Gates”. The Cabinet paper from this meeting also specified the road is detrimental to the Elvaston Castle Masterplan. It is well-documented the Masterplan will cost £35m, of which £5m will be for the access road (2020 pricing). The financial viability is still not clear in the planning application.

Objection 5: The evidence for the road is not viable.

Evidence and basis of support of the above objection:

As per the findings of D2N2 LEP when assessing an application⁹ put forward to them for Growth Deal 3 funding. The application project “is focussed on providing a new access road and car parking facility at the Elvaston Castle estate which the applicant states are needed to realise the full economic potential of the site and provide opportunities for business development and new employment opportunities”. Only the strongest projects are taken forward which support the strategic objectives of D2N2. The scoring system assesses projects based on alignment to Strategic Economic Plan (SEP) objectives, potential scale of economic impacts, deliverability, additionality assessment and value for money. The project was deemed to have a RAG ranking of red: a potential to be developed in the longer term or better suited to other investment channels.

Objection 6: The “Invest to save model” is commercially naïve and is not resilient to a changing context.

Evidence and basis of support of the above objection:

As per the financial case for the Masterplan put to Derbyshire County Council Cabinet which is an “invest to save” business case – covering only part of the investment required. The business case is based on visitor numbers, with the biggest income stream being car parking followed by catering. One would cancel out the other – therefore people would be paying for car parking or catering, and as such reduce the income, otherwise people will not use the facilities.

As stated in the Derbyshire Economic Partnership COVID-19 Recovery Strategies 2021-2025¹⁰, the OBR estimates Derbyshire will experience a 14% loss of output in 2020 as a result of COVID-19, equating to a loss of £2.3bn. The vision for Derbyshire’s economy is Place, Industry, Visitor Economy, Enabling Infrastructure and Inward Investment. Funding to support the masterplan of Elvaston Castle and Country Park is not a feature of any of the six priorities, the objectives or key actions. As a taxpayer to Derbyshire County Council any financial support from them to a project which is based on an “invest to save” model would not be value for money in the current climate

⁸ Derbyshire County Council Cabinet, 10 September 2020, Agenda Item No.6(g).

<https://democracy.derbyshire.gov.uk/documents/s3935/Elvaston%20Castle%20Masterplan%20Delivery%20Programme.pdf> (pages 1,2)

⁹<https://www.nottinghamshire.gov.uk/dmsadmin/Document.ashx?czJKcaeAi5tUFL1DTL2UE4zNRBcoShgo=qtqKjo5d09bOuE%2F%2FryVxpLAmAz1DQzuWauI0sUyux9FF%2FLclYcLTww%3D%3D&rUzwRPf%2BZ3zd4E71kn8Lyw%3D%3D=pwRE6AGJFLDNIh225F5QMaQWctPHwdhUfCZ%2FLUQzgA2uL5jNRG4jdQ%3D%3D&mCTIbCubSFfsDGW9IXnl%3D%3D=hFfIUdN3100%3D&kCx1AnS9%2FpWZQ40DXFvdEw%3D%3D=hFfIUdN3100%3D&uJovDxwdjMPoYv%2BAJvYtyA%3D%3D=ctNJff55vVA%3D&FgPIIEJYlotS%2BYGoBi5oIA%3D%3D=NHDURQburHA%3D&d9QjjOag1Pd993jsyOJqFvmyB7X0CSQK=ctNJff55vVA%3D&WGewmoAfeNR9xqBux0r1Q8Za60lavYmz=ctNJff55vVA%3D&WGewmoAfeNQ16B2MHuCPMRKZMwaG1PaO=ctNJff55vVA%3D> (risk analysis page 21, page 40)

¹⁰ <https://www.derbyshireeconomicpartnership.org.uk/site-elements/documents/pdf/covid-19-economic-skills-recovery-strategies-2021-2025.pdf> (page 6)

I do not believe the infrastructure of the road which is intending to go around the perimeter of Elvaston Castle and buildings, and roundabout to create a new car park for 800 cars, (the same as the current capacity with overspill), to potentially increase car parking fees should be the overarching strategic methodology and the loss of more than eight acres of green space, the destruction of historic woodland and the loss of biodiversity and wildlife habitats. Surely the Masterplan through developing the existing historical and cultural site can firstly evidence increased visitor numbers – and when necessary – the Boulton Moor park and ride facility can be used. As per the South Derbyshire District Council Adopted Local Plan Part 1, which covers the period 2011 to 2028 and “is the strategic element of the Local Plan. Local Plan Part 1 Chapter 5 Policy 11-22, Policy H13¹¹: The provision of sustainable transport measures, including contributions to the delivery of a new park and ride and bus service to serve the wider urban extension site).”

3. People, community involvement and partnership working will be at the heart of all activities.

Objection 7: The road and roundabout will cause imbalances to sustainable spaces between local rural, peri-urban, and urban areas.

Evidence and basis of support of the above objection:

The farmland and ‘marginal woodland’ are designated greenbelt, as per Adopted Local Plan Part 1 which “sets the long-term vision, objectives and strategy for the spatial development of South Derbyshire.”

Policy S8 Green Belt¹² explanation is that “The Green Belt is a long established and successful planning tool, which prevents the coalescence of Derby and Nottingham cities and that of Burton upon Trent with Swadlincote. The southern part of the Nottingham – Derby Green Belt lies within South Derbyshire’s administrative boundary and covers the north east corner of the District, covering the villages of Elvaston, Thulston, Ambaston and to the edge of Shardlow. The Nottingham – Derby Green Belt, surrounds the city of Nottingham to prevent it from merging with Derby City and prevents surrounding towns and villages from merging.”

Of note, it states “a triangular parcel of land measuring around 12.5 hectares immediately to the east of the A6 and south west of Thulston, will be included within the Green Belt. This was done to better reflect Green Belt in the Boulton Moor area due to the development of the A6 spur and A50 the following alterations to the Nottingham - Derby Green Belt are to be made.”

Local Plan Glossary¹³ “Green Belt: A statutory designation of land, which fundamental aim is to prevent urban sprawl by keeping land permanently open. The five purposes of Green Belt as set out in the National Planning Policy Framework are:

- To check the unrestricted sprawl of large built up areas
- To prevent neighbouring towns merging into one another
- To assist in safeguarding the countryside from encroachment
- To preserve the setting and special characteristics of historic towns and

To assist in urban regeneration, by encouraging the recycling of derelict and other urban land Green Infrastructure: The physical environment within and between cities, towns and villages. It is a

¹¹ <https://www.southderbyshire.gov.uk/assets/attach/1769/Local-Plan-Part-1-Chapter-5-Policy-11-22.pdf> (page 6)

¹² <https://www.southderbyshire.gov.uk/assets/attach/1770/Local-Plan-Part-1-Chapters-1-4.pdf> (page 45)

¹³ <https://www.southderbyshire.gov.uk/assets/attach/1607/Glossary-for-Local-Plan-Part-1.pdf>

network of multi-functional green spaces, including formal parks, open spaces, gardens, woodland green corridors and open countryside.”

Adopted Local Plan Part 1, Housing Policy 13:¹⁴ “Boulton Moor (South East of Derby). Residential development on Land at Boulton Moor will provide for around 1,950 dwellings within South Derbyshire and 800 new homes within the Derby City administrative boundary. There is also reference to “The urban extension as a whole shall protect and enhance Elvaston Registered Park and Garden (including its settlement), other heritage assets and will contribute towards softening the settlement edge around Boulton Moor. Any built development to the east of the A6 and west of the B5010 shall be in accordance with Green Belt Policy. In order to safeguard the operation of the Strategic Road Network an assessment of the impact of development traffic will be carried out and developer contributions will be sought.”

Government policy on the protection of Green Belt in the new National Planning Policy Framework states “The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.”

Objection 8: The planning application has very little community involvement, and it conflicts with the civil parish, visitors to Elvaston Castle and Country Park and local residents who have also signed the ‘objection open letter’. It should be noted that in December 2018 Derbyshire County Council accepted at full Council a petition of 10510 signatures in opposition to the new access road, roundabout and carpark.

The Localism Act 2011 introduced rights and powers to allow local communities to shape new development. Within these, communities (parish councils and neighbourhood forums) are able to develop Neighbourhood Development Plans and under certain circumstances are able to grant Neighbourhood Development Orders or progress development under Community Right to Build Orders. The key theme is using local knowledge and research to develop policies and orders to support development of the built environment within local communities. Unfortunately, there is not a current neighbourhood plan for the Aston district and little community partnership and involvement is lacking. However; Elvaston Parish Council has successfully nominated Elvaston Castle Country Park as an Asset of Community Value.

Objection 9: The planning application does not take into consideration ‘natural capital’, and I would ask Derbyshire County Council and South Derbyshire District Council to review the value of Elvaston Castle and Country Park in respect of servicing the health and wellbeing of the community, particularly given the value of green space for local people during the pandemic.

Evidence and basis of support of the above objection:

Public Health England, improving access to greenspace: A new review for 2020¹⁵ states “This ‘natural capital’ can help local authorities address local issues that they face, including improving health and wellbeing, managing health and social care costs, reducing health inequalities, improving social cohesion and taking positive action to address climate change.”

Summary

¹⁴ <https://www.southderbyshire.gov.uk/assets/attach/1769/Local-Plan-Part-1-Chapter-5-Policy-11-22.pdf>
(page 6)

¹⁵ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/904439/Improving_access_to_greenspace_2020_review.pdf

In summary, I would urge you refuse the application for the road and roundabout based on need, cost benefit and impact in respect of national policies, South Derbyshire District Council plans and Derbyshire County Council Cabinet. Furthermore, the information upon which you make your decision has been seemingly uncoordinated between the different specialists leaving doubt as to the reliability of the application when considered in its totality.

Yours sincerely

Name and Address:

Postcode: