



## ELVASTON PARISH COUNCIL

your parish, your community, your future

Clerk/RFO – Fiona Stanbrook, 10 Willow Close, Aston on Trent, Derbyshire, DE72 2BX  
Tel: 01332 793272 email: [elvastonclerk@gmail.com](mailto:elvastonclerk@gmail.com)

David Arnold  
Head of Planning Services  
Derbyshire County Council  
County Hall  
Matlock  
Derbyshire  
DE4 3AG

5<sup>th</sup> July 2021

Dear Mr. Arnold

**RESPONSE TO REQUEST FOR A SCOPING OPINION UNDER PART 2, SECTION 6 OF THE TOWN AND COUNTY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017  
APPLICATION CODE: SCOD/9/77**

### **Introduction**

Elvaston Parish Council confirm receipt of the request for a Scoping Opinion under Part 2, Section 6 of the Town and County Planning (Environmental Impact Assessment) Regulations 2017 for the Proposed Conversion and Extension of Existing Buildings to Commercial Use and Construction of Access Road and Car Parks, Elvaston Castle Country Park (Application Code: SCOD/9/77).

As detailed in the letter received from Derbyshire County Council dated 23<sup>rd</sup> June 2021, Elvaston Parish Council agrees that any future planning application must be supported by an appropriate Environmental Statement, as set out in Paragraph 1 of their letter:

*“Derbyshire County Council is considering making a planning application which would be accompanied by an Environmental Statement”*

This letter therefore makes comments in relation to content of the letter received from Planning & Design Practice Limited and its associated drawings, and makes suggestions as to the topics which should be included in the future Environmental Statement.

### **Schedule 2 Development**

Elvaston Parish Council considers that the proposal falls under Schedule 2 of the EIA regulations as the development will have significant effects on the environment.

Schedule 2 lists the types of development which may require an EIA if, in the Local Planning Authority's opinion, they are *"likely to have significant effects on the environment"* - arguably these proposals would have such an impact, and therefore the formal Scoping Opinion should be informed by consultee feedback from statutory bodies, including Derbyshire County Council officers, other consultees, and statutory bodies including Natural England, Historic England and the Environment Agency, for example.

Elvaston Parish Council concludes elements of the project are the following Schedule 2 developments:

- Construction of a road with a site area over 1ha. The proposal is for an access road not a private driveway. The Road Traffic Act sets down that a "road" means 'any highway and any other road to which the public have access and includes bridges over which a road passes'. A road has been held in case law to include pavements and boundary grass verges.
- A holiday village with a site area over 0.5ha. It is irrelevant that the proposed holiday accommodation is to be applied for under a separate application. Courts have long been concerned to prevent developers from splitting a project into smaller components to avoid the requirement for an EIA in what is colloquially known as "salami slicing". Projects must always be viewed as one if they can properly be regarded as integral parts of an inevitably more substantial development. It has always been the stated intention of Derbyshire County Council that all development at Elvaston Castle Country Park comprises a Masterplan requiring a £35 million investment.

It is therefore assumed that the submitted Scoping Report will be circulated to the relevant statutory and non-statutory consultees for comment and information, and more importantly to inform the content of the future Environmental Statement.

### **Site Location**

In addition to the points made, Elvaston Parish Council would like to confirm that in 2020, Elvaston Castle and Country Park was successfully registered by the parish council as an Asset of Community Value, which is an indication of the environmental value of the park to the local community and wider population of Derby and Derbyshire.

It should also be stated at this point that the site already has three vehicular access points and a public car park with designated overflow areas. The main access to the visitor car park is from the B5010 north of Elvaston, there is secondary access for staff, delivery and disabled users via Stables Drive (Bridlegate Lane) and finally, guests and visitors using the Old English Garden for weddings and functions can also access areas of the park from the driveway entrance adjoining Lodge Cottage.

A proposal to construct a duplication of infrastructure which already exists is of great concern to Elvaston Parish Council. When combined with the proposed mineral extraction by The Tarmac Group at the Northern Extension of the previous Shardlow Works, new housing development at Boulton Moor, proposed sports facilities, access road, car parking and allotments south of the B5010 at Thulston and construction of a new pedestrian footbridge over the A6 spur, the environmental impact will be considerable.

### **Matters Material to the Determination of the Scoping Opinion**

Elvaston Parish Council would like to make the following comments to be considered in conjunction with and in addition to those contained within the letter from Planning & Design Practice Limited.

## Paragraph 2

The letter states “any noise generated by vehicles using the proposed driveway would be negligible for residents against the noise generated by the A6”. This is misleading – any noise generated by vehicles using the proposed access road will be in addition to the noise generated by the A6. There will be an increase in noise and pollution levels for residents of Elvaston parish. The applicant wishes to double the number of visitors to the country park. Drawings submitted with the scoping request show that daily vehicle movements along the B5010 at the proposed new access point will increase from 4339 (outdated AADT data from 2019) to an expectation of not more than 8000. Elvaston Parish Council confirms that levels of traffic movement, noise and air pollution will almost double.

## Paragraph 3

Elvaston Parish Council would like to point out that this paragraph whilst seeking to diminish the effect of the development instead emphasises the negative effect on the biodiversity of the site. It should be noted that the “modest areas of woodland” are in fact contained within the historic Rookery Wood, so called for its proliferation of mature deciduous trees which are a valuable breeding site for rooks. This wood is also a wildlife site offering a rich habitat for a wide range of animals, birds and insects. It must also be noted that these trees provide screening for noise and pollution from the A6 spur road and any felling or reduction in density of canopy cover will have a detrimental effect on the residents of Thulston.

## Assessment

Elvaston Parish Council has already stated that the proposal falls under Schedule 2 development and will require an Environmental Statement. In addition, this planned diversification and expansion will be wholly new to the site’s current and historic use as a country park. Elvaston Castle and Country Park has been, for over fifty years, a quiet refuge from high levels of noise, pollution and traffic and a massive contributor to the improvement of mental and physical health for Derbyshire residents who exercise in its open green space and woodland. Construction of a road which will bisect the park and the loss of open parkland is contrary to its intended use as approved by The Countryside Commission at inception. The removal or disruption of public recreation areas when the original, more environmentally sensitive car park is still in operation on the fringes of the park and could with subtle improvement match the capacity of the planned car park is unnecessary.

Elvaston Parish Council therefore objects to any suggestion by the applicant that this is not a wholly new development proposal. Elvaston Castle Country Park has never contained a shopping mall or a holiday village. Both will be constructed or developed under this proposal.

## Characteristics of Development

Point 1a: Repetition of the term driveway. A driveway is a private area in front of or leading to a private residence for use of the residents only. Use of the term “trackway” by the applicant (The Mace Group acting for Derbyshire County Council) to describe a new access road could be viewed as misleading the competent authority. The access road and car parks will have public access and are not a private driveway.

The new roundabout junction on the B5010 will require more than surface level development and will have a damaging environmental impact. It should be noted at this stage that insufficient evidence of the final size, construction method, drainage required, visibility splay and destruction of historic trees

on the southern side of the B5010 does not allow Elvaston Parish Council full disclosure for scoping opinion. Elvaston Parish Council would like the authority to note that trees on the southern side of this roundabout are healthy specimen species of veteran age, growing in land currently assigned as green belt and are subject to South Derbyshire District Council tree preservation orders. They were planted by William Barron as part of Elvaston Castle's initial garden design as an integral part of the South Avenue approach. It could be argued that they should have been included in the Historic England listing.

Surface level development within the country park will still contribute to flood risk, be detrimental to wildlife and lead to loss of visual amenity.

Point 1b: If the applicant suggests that the development is taking place in isolation then Elvaston Parish Council asks why the proposed new sports facility on the southern side of the B5010 is detailed at this stage? Elvaston Parish Council believes that this proposal is relevant as a cumulative effect in addition to the development of the proposed new access road and roundabout and this is confirmed in the applicant's comment.

The site is not spatially remote. Elvaston Castle Country Park contains a private dwelling which will be seriously impacted by the development. The rights of access for the owners of Keepers Cottage will be compromised by the volume of expected vehicles passing the sole access point and private driveway to their property. There are four former lodge houses on the eastern border of the park. There is also a significant number of properties in the villages of Elvaston and Thulston which border the southeast perimeter of Elvaston Castle Country Park.

Point 1c: Elvaston Parish Council confirms that as suggested by the applicant there will be significant "use" of natural materials as a direct result of the engineering works required for the construction of the new access road and roundabout combined with clearance of historic woodland. This will lead to loss of biodiversity and wildlife habitat, increased flood risk for the surrounding area, a reduction in carbon absorption and the release of stored carbon into the environment.

Point 1d: Elvaston Parish Council refutes the assertion that there will only be a small increase in the amount of waste generated by families and groups visiting the site. It has already been stated that the applicant wishes to increase visitors to the site by approximately 66%, therefore it must be assumed that the visitor waste generated will increase by 66% as a direct correlation. Elvaston Parish Council employs a Parish Lengthsman whose primary responsibility is to clear waste/litter from the Elvaston Parish. A high percentage of this waste/litter is left by visitors to Elvaston Castle Country Park who park their vehicles in any available space in the villages of Elvaston and Thulston to walk into the country park thus avoiding the cost of parking charges. It should also be noted at this stage that construction of a new access road and car parks will not remove this issue of concern for the community.

However, Elvaston Parish Council would like to stress that there will be a massive increase in the amount of waste generated on site by the proposed development of the castle, holiday lodges, retail and catering outlets. It is an accepted national statistic that a café produces 17.5m<sup>3</sup> of waste per employee or 1.7m<sup>3</sup> for every 1m<sup>3</sup> of floor space. UK restaurants are responsible for the production of nearly one million tonnes of waste per annum. Retail outlets generate an excessive amount of waste much of it in the form of recyclable packaging. Overnight holiday visitors using the proposed new holiday village have the potential to produce excess waste for 24 hours. This will result in a dramatic increase in the waste collection required in the parish of Elvaston. The carbon footprint for the Elvaston parish shows an existing figure of 3,539t CO<sub>2</sub>e for waste management which will increase exponentially.

Point 1e: Elvaston Parish Council agrees that there will be an increase in noise/dust/pollution from the intensification of vehicular use on site. The council refutes the suggestion that this will be modest and that the proposals will divert a significant number of visiting vehicles from having to pass through Thulston and Elvaston. Local knowledge of the parish suggests that these journeys will increase and the number of cars parking to avoid car park fees will remain constant.

It is recognised by the applicant that there will be a significant number of visiting vehicles and a presumed dramatic increase in construction and delivery vehicles. Surveys indicate 240,000 visitors, although not all by vehicle. The only measure of visitor numbers used by Derbyshire County Council in recent years has been the income generated by fees charged to visit the car park. The applicant wishes to increase this number by 66%. As the country park is only served by one public transport service, the Skylink Derby – East Midlands Airport – Loughborough route which has a stop on the B5010 outside the South Avenue Gatehouse, the assumption must be made that the percentage of foot traffic is low. Elvaston Parish Council argues that in a time of a globally accepted climate emergency every attempt should be made by the applicant to diversify methods of travel and access to the park to improve biodiversity and to lessen global warming. Enabling higher vehicle numbers does exactly the opposite. Unless and until all road vehicles are all zero emission any increase in road traffic means an increase in greenhouse gas emissions, noise and pollution.

The statement that there will be a beneficial traffic diversion fails to consider the fact that contained within Phase 1 of Derbyshire County Council's Masterplan is the decision to lease out the former caravan site, located next to the existing car park to a private operator with a lease period of 25 years. Pivotal to this proposal is the possibility being offered of expansion into the current car park. This combined with a suggestion of glamping and the occasional use of the existing car park for one-off events will achieve little or no change to the situation described.

Traffic surveys undertaken by The Elvaston Castle Action Group and the Friends of Elvaston, on event and non-event days, revealed that a higher percentage of visitors access the park from a northerly rather than a southerly direction. Visitors who access via Station Road, Borrowash and use the M1 and A52 to travel into the area from the north, north east and north west, when questioned, stated that they would be unlikely to consider alternative routes and would access a southern entrance to the park in the same manner. Elvaston Parish Council confirms that traffic accessing Elvaston Castle from a northerly direction will continue to travel southwards through Elvaston and Thulston thus leading to higher not reduced levels of noise and pollution.

Elvaston Parish Council also requests full disclosure to the parish council, under the terms of The Freedom of Information Act, the independent financial modelling report prepared by David Clark Associates. However, earlier disclosure of certain sections of the document by members of the Elvaston Castle Gardens Trust illustrated numerous shortcomings and the use of outdated data within the report. Elvaston Parish Council questions the relevance of a 1997 study into pedestrian travel from Austin, Texas and a lack of independent consultees in the analysis of the existing car park.

In June 2020, The Parks Alliance (TPA) published 'Making Parks Count' – the business case for parks, setting out why they matter and why they are a 'smart investment'. The case illustrates how parks in England deliver over £6.6bn of health, climate change and environmental benefits each year including £2.2bn in avoided health costs alone and are worth £140 per year to each urban resident. For every £1 spent on parks in England an estimated £7 in additional value for health and wellbeing and the environment is generated. The case clearly demonstrates that parks are a smart investment. Unfortunately, because these returns have never been properly understood, parks have suffered

from years of underfunding and there remain gross inequalities in access to quality green spaces across the country. Making Parks Count presents the case for turning this around.

Elvaston Parish Council believe that the economic report from 2017/18 needs updating, calculating the economic health benefit of Elvaston Castle and Country Park in its current form and with due regard to the economic cost of environmental damage and would ask to be included in any further consultation.

Elvaston Parish Council questions whether the quoted figures given for visitor numbers are inaccurate and misleading for the competent authority. The Derbyshire County Council Cabinet report prepared by the Strategic Director – Economy, Transport and Environment dated 15<sup>th</sup> March, 2018, page 1 outlines that ‘over 350,000 people visit Elvaston Castle and Country park each year’. A member of the Elvaston parish, a former managerial member of staff for the country park recalls visitor numbers being accurately measured confirming 750,00 visits annually. These visitor numbers used the existing access road and car park. The coronavirus pandemic has led to an increased number of visitors over the last fifteen months and Elvaston Parish Council believes that the current annual figure of 400,000 visitors is more accurate. If this valid suggestion is accurate then the desired level of visitor numbers has already been achieved and provides a further argument against the development proposals and the resultant environmental damage.

Point 1f: Elvaston Parish Council believes that the proposal will lead to an increased risk of natural disasters relating to climate change, increase in the carbon footprint of the parish which already stands at 20,637t CO<sub>2</sub>e with road transport as its highest contributor, increase of surface water runoff and flooding in a designated flood risk area and serious loss of biodiversity which will contribute to an increased threat of extinction of protected species found in Elvaston Castle Country park.

Point 1g: Elvaston Parish Council confirms that the applicant acknowledges the potential risk of the development and their impacts on the population of the parish. It must also be stated here that the risks associated with air pollution will also affect all visitors to Elvaston Castle and Country Park.

Water contamination – the application states that it will include a drainage strategy. The general condition of the existing drainage within the site is unclear. Derbyshire County Council has already commissioned two drainage reports. One in 2002 by Alan Baxter & Associates, a second in 2010 by Ward Cole and an update in 2015 by the same company. Very little of the recommended work was ever actioned. Elvaston Parish Council remains concerned that as the Lead Local Authority, the applicant is responsible for the removal of surface water which in recent years has been allowed to remain in stagnant pools across the parkland thus undermining and weakening the root structure of veteran trees. The environment statement should include assessment of historic drainage surveys and analysis of what remediation work has been undertaken in the nineteen years which have elapsed since the first one was produced. Recent high rainfall levels in 2020 and 2021 combined with inadequate maintenance of the surface water drainage and the declining tree numbers in the country park saw lodge houses on the east side of the park flooded at ground level for the first time in seventy years. This led to contamination of the properties and their water supply and is of great concern to the parish council.

Air Pollution - There will be an increase in air pollution associated with the construction of the development, an increased volume of traffic and a loss of biodiversity. It is disappointing to note that the only comment the applicant makes at this stage is that the proposed road does not pass residential dwellings. The proposed road will be in proximity to many properties in Thulston and will contribute to an increased level of air pollution there and in the parkland.

The Derbyshire Health and Wellbeing Strategy 2018 – 2023 pages 13/14 states that in 2017 alone, an estimated 530 deaths were linked to particulate matter pollution in Derbyshire. The Derbyshire Public Health report 2019 confirms that areas with high levels of air pollution can increase the risk of lung disease.

Elvaston Parish Council would like to inform the determining authority that in the Derbyshire County Council Director of Public Health Report (7<sup>th</sup> December 2017) Chapter 5, Section 5.1 Air Pollution, “road vehicles are the main pollution source in urban environments. It is estimated that in Derbyshire around 5.4% of all deaths are linked to long-term exposure to small particulate air pollution (PM2.5)’. In addition, the Derbyshire Air Quality Workshop states that there is a growing evidence base that demonstrates long term exposure to air pollution is harmful at levels well below current air quality targets and is causing a significant morbidity and mortality burden across Derbyshire county and city. Prioritising action on air quality would significantly improve the public health outcomes of people across the county and city. Therefore, Elvaston Parish Council remains concerned regarding long term effects for the health of the community resulting from the increase in air pollution proposed by this development. The loss of fresh air and greenspace within Elvaston Castle Country Park will harm the health of visitors and residents.

Detailed below are relevant extracts from the Derbyshire County Council Local Transport Plan 2011-2026 and the summary of Derbyshire’s transport, quality of life and healthy natural environment challenges:

#### General

- Maintain the transport asset for local travel, to protect sense of place and the natural and historic environment.
- Reduce air pollution.
- Encourage more people to enjoy the natural environment without damaging the natural environment that they are travelling to visit.
- Minimise the impact of transport on tranquillity.
- Minimise the impacts of transport on the natural environment, heritage and landscape.
- Improve people’s experience of travel.
- Improve streetscapes and the urban environment.
- Create opportunities for social contact and access to leisure and the countryside.
- Reduce sign clutter and visual impact of transport infrastructure.
- Increase opportunities to access sustainable traffic-free routes.
- Increase walking and cycling.
- Continue to undertake our environmental work which is largely protecting the environment from transport interventions.
- Strive towards a low carbon economy where we undertake low carbon transport interventions to enhance the economy.
- Help reduce any damage to the landscape or disturbance of habitats or species caused by an increased use of the rights of way network.
- Minimise the impact of recreational motorised vehicle use in the countryside (e.g. on biodiversity, landscape, local communities and other users of the network).

#### Biodiversity

- Enhancement of green infrastructure e.g. management of road verge reserves, better connected traffic-free routes.
- Minimise light pollution from transport infrastructure on the landscape.
- Site management and scheme design - include environmental specialists.

- Opportunities for proactive improvement e.g. bat boxes/bridges.
- Protect habitats and species from disturbance due to an increased level of walking, horse riding and cycling.
- Work to prevent rare or protected species being killed on Derbyshire's roads.

#### Population and human health

- Work with local planning authorities to help minimise adverse impacts from new housing.
- Continue to provide public transport facilities to cater for an increasingly older population.

#### Landscape

- Minimise the visual impact of transport infrastructure on the landscape e.g. indiscriminate parking in rural areas.
- All new highway development and management should reflect and respond to the landscape character and local distinctiveness.
- Support the development of green access corridors (contributing to green infrastructure).

#### Cultural heritage

- Minimise the impact of transport infrastructure on the historic environment.
- Good design and material usage (including specialist advisors).

Elvaston Parish Council believes that the development proposal is in direct contravention of these stated aims. The Environmental statement accompanying any proposed application will need to fully examine the stated aims of the Derbyshire LTP and provide justification for the outcome.

#### Location of Development

Point 2a: Elvaston Parish Council considers that the existing use of the Elvaston Castle and Country Park is sensitive to the development of the access road and carparks. These elements of the proposals are not considered to be essential infrastructure to facilitate safe access to the site and to deal with an intensification of vehicle use. Elvaston Parish Council requests that the determining authority ascertains the percentage of construction vehicles and HGVs that will use this access road in the initial development phase. It is suggested by Elvaston Parish Council that the access road exists mainly as a development conduit for the construction of the retail outlets, catering facilities, holiday lodges and conversion of the castle's core buildings. The new car park is secondary to the primary use.

Point 2b: Elvaston Parish Council does not agree that the construction of the new access road, car parks and the redevelopment of the core buildings will not significantly alter the availability of the valued natural resources.

Point 2c: (i) Elvaston Parish Council has already highlighted the fact that Elvaston Castle and Country Park is in a flood risk area and that insufficient maintenance of the historic drainage system has taken place in the last nineteen years since drainage reports were submitted. Elvaston Parish Council has reported an increase in localised flooding, much of which has been caused by excessive runoff from Elvaston Castle and Country Park. The drainage strategy will also need to assess the potential impact of the proposed extension to Elvaston Quarry, Derbyshire.

(iv) The applicant's claim that the proposed access road and carparks will avoid the Local Nature Reserve is inaccurate. Elvaston Parish Council accepts that the carparks will not be located on the

protected land designated as a Local Nature Reserve. However, approximately eight acres of car parking, which if used to capacity will hold 800 vehicles, will border almost the entire southern edge of the Local Nature Reserve. This will have a detrimental effect on the wildlife there and lead to loss of biodiversity. The primary habitat objective contained within the Lowland Derbyshire Biodiversity Action Plan (BAP) is the maintenance, restoration and expansion of wetlands including reedbed and wet woodland which are both found in the Elvaston LNR. Elvaston Parish Council notes that the access road will cross the designated wildlife site and would request comprehensive ecology reports. Members of Elvaston parish have conducted independent wildlife surveys of all areas of the proposed development and have up to date and comprehensive detail of the wildlife and protected species present. The existing Fox Covert car park accessed via the B5010 does not impact the Local Nature Reserve and already contains large numbers of veteran trees and an established wildlife habitat.

The applicant's statement which details that the route of the access road has been designed to avoid the registered park and garden is neglecting the fact that open green space amenity can be viewed as just as important to visitors as formal gardens. Elvaston Parish Council is concerned that the applicant is also considering within their Masterplan a possible reduction of the area of the formal gardens which will remain free on point of entry.

(vii) Elvaston Parish Council notes that the applicant remains unconcerned with regards to a significant increase in noise/dust/air pollution citing the fact that this additional environmental damage will be masked by a major link road bisecting the Elvaston parish and already producing ever increasing traffic volumes with associated detrimental effects. There is an assumption made that a severe increase in traffic noise, vibration and pollution is immaterial in the villages of Elvaston and Thulston. It should also be noted that one of the tree belts mentioned as mitigation will be virtually destroyed by the construction of the new roundabout on the B5010. The villages of Elvaston and Thulston will not see a significant reduction in traffic as outlined previously in Point 1c. Once again Elvaston Parish Council would like to reiterate the fact that this new development will add to the negative environmental hazards within the parish and the additional environmental damage will not be mitigated by another road already within the area and which produces high levels of noise and pollution. Recent tree removal by Persimmon Homes on behalf of Highways England has led to a significant loss of established trees and hedging along the A6 spur to the A50 and in the direction of Boulton Moor and Alvaston. This has led to an increase in noise levels on the new housing development. The cumulative level of noise, dust and pollution cannot be understated.

Elvaston Parish Council has already conducted its own independent analysis of Nitrogen Dioxide levels within the parish and identified considerable differences in pollution levels shown. Testing has been carried out at numerous locations within the road network and at Elvaston Castle and Country Park. The results were assessed at a specialist environmental laboratory.

Elvaston Parish Council would also like to highlight to the determining authority the following observations made by Highways England in its analysis of the impact of the A6 on Elvaston Parish in its 5 years after construction study produced in 2008.

- a) Carbon emissions increased by 55%
- b) Mitigation measures have not been successful at Coronation Plantation (Elvaston Castle Country Park) where tree growth is not as expected
- c) Moderate negative impact as three sites of archaeological value were lost. Visual impacts on Elvaston Castle Grade 2 registered Historic Park
- d) Biodiversity impacts of the scheme are worse than expected. This is due to the underestimation of the population size of Great Crested Newts (GCN). Monitoring highlighted the failure of mitigation ponds. The GCN population is less than a tenth of the pre-mitigation size.

(viii) Elvaston Parish Council does not agree that the proposed redevelopment of the castle has been designed with the conservation of its historic merit as the underpinning priority. This has been stated as fact by the applicant without the benefit of a submitted heritage assessment.

#### Types and Characteristics of the potential impact

Why, at this stage, when it is well known that the new access road and carparks form only a section of a much larger £35million development Masterplan are only a limited number of considerations submitted by the applicant? In determining the content of the Environmental Statement the total development must be stated and reviewed.

Point 3b: The magnitude and spatial extent of the impact will extend beyond the perimeter of Elvaston Castle and Country Park. The park is used by visitors 365 days a year and access in vehicles and on foot is permissible 24 hours a day using established ingress points. Survey figures given indicate 240,000 annual visitors but Elvaston Parish Council believes the actual number is higher for reasons already stated. The scale of the overall development will be detrimental to the park.

Elvaston Parish Council does not agree that the new access road and car park has been positioned in a location that is least prominent. The existing access and car parks that serve Elvaston Castle Country Park are the least prominent and have the least cumulative impact on the parish.

The construction of a new access road linking via a roundabout junction into the national road network will have a considerable impact on the expected traffic volume which will link into the Thulston roundabout on the A6/A50 spur route. The applicant is proposing that a compact roundabout is constructed, as shown on submitted drawings, with an ICD (inscribed circle diameter) of 36m. The ICD of a mini roundabout is the diameter of the largest circle that can be inscribed within the junction kerbs. Government and road safety standards suggest a maximum ICD for a mini roundabout is 28m. It is immediately apparent that the impact of the roundabout and the tree loss required for construction of the visibility splay is far greater than indicated on the application. There is also the potential for associated damage and undermining, during construction, of the historic build at the South Avenue Gatehouse.

The A6 Thulston island is already congested at peak times with queuing traffic at each feeder lane into the island. Proposals by Highways England to install additional lanes and a traffic light system to cope with traffic flows need to be considered in the context of this development. The B5010 is also now the main access route into the Trent Valley Crematorium which was opened in 2018 and is one of the main sites for cremation in the area. It has also been noted by Elvaston Parish Council that funeral corteges are having to queue at the A6 Thulston island and this leads to associated traffic volume along the B5010 towards Shardlow and Aston on Trent. High visitor numbers accessing a southern entrance to Elvaston Castle will exacerbate this issue.

The northern extension of the Elvaston Quarry by the Tarmac Group will see a considerable increase in HGV movements along the B5010 from Shardlow to the Thulston island. The environmental statement prepared by Derbyshire County Council quotes:

“Tarmac estimates that the yield from the site would be 1.85 million tonnes of saleable mineral, which would be worked at a maximum rate of 300,000 tonnes a year, making the life of the site seven years, allowing for six months for the initial development and a further six months after the minerals have been removed to complete reclamation. Lorries would deliver the processed minerals to the market at an average rate of 110 lorry movements a day (55 in, 55 out), up to a maximum of 140 movements

(70 in, 70 out), using the existing Bellington Hill access on to the B5010 (the former A6) westbound to the B5010/A50 Thulston roundabout. Sales volumes would be 400,000 tonnes a year, including imported sand which would add a further 20 vehicle movements a day (10 in, 10 out) to the above figures.”

Elvaston Parish Council informs the determining authority of the considerable impact the extension of the Elvaston Quarry and associated vehicles will have on the planned new access road junction and asks it to consider this as a cumulative impact regarding increased levels of traffic, dust, vibration and air pollution.

Point 3b: The nature of the impact of development will be as listed but to a more magnified degree that the application indicates. It should also be stated at this point that the road is not a private drive but a public road leading to public carparks. A car park is not a road. However, it is a public place and for the purposes of the Road Traffic Act it is included. If members of the public can gain access to a location via a road it is a public place. The applicant states that the road will be agricultural and without kerbs, pavements and lighting. Elvaston Parish Council believes that this could pose a road safety hazard for pedestrians in times of fog, heavy rain or reduced daylight. If it is to be used as a conduit for construction and delivery vehicles during development what safety measures will be in place and what mitigation will be used to protect the wildlife that will attempt to exist alongside a road?

If it is envisaged that the new overflow car park will only be used on the busiest 2 or 3 days, then the determining authority must decide if this sparse use justifies the environmental damage that will be caused by its construction. The Derbyshire County Council’s Masterplan states that the current Fox Covert car park could be used as an overspill.

The applicant states that undeveloped agricultural land and woodland will be lost due to the development. The “undeveloped agricultural land” is part of a valuable historic landscape, possibly untouched since mediaeval times and part of the original bucolic setting of the house and estate.

The woodland which will be lost comprises a broad variety of trees, shrubs and wildlife. A high percentage of trees are veteran and contribute to a precious ecosystem. Rookery Wood is an invaluable example of an area working naturally as a centre of carbon sequestration to counter climate change and global warming. Surveys undertaken by members of The Elvaston Castle Action Group, Long Eaton Natural History Society, Derbyshire Wildlife Trust and The Bat Conservation Group have compiled detailed recorded data of the broad range of creatures that inhabit this precious ecosystem. Bat flight data and roost location has been collated on a regular basis in all areas of Rookery Wood and the proposed route of the new access road. To date, eight varying species of bat have been identified. A full tree survey of species, age, girth and health has also been compiled using GPS plotting techniques.

Elvaston Parish Council states that the loss of a large percentage of Rookery Wood will have a considerable negative impact on the environmental health of the Elvaston parish and will lead to the destruction of habitat for protected species with a resultant reduction in endangered species. There will also be an increase in the carbon footprint based on felling of veteran trees, loss of habitat and road construction.

Point 3c: There will be considerable impact on the highway network with an expected doubling of vehicles using the B5010. It is not appropriate for the applicant to dismiss the impact by stating that a significant proportion of the traffic already accessing Elvaston Castle Country Park does so via the A6/B5010, research conducted in the parish suggests that a higher percentage of vehicles access from

a northerly direction and will continue to do so. It should also be noted that visitors to Elvaston Castle Country Park travel from a wide range of destinations not just the city of Derby or the county of Derbyshire so the impact is of a transboundary nature. The B5010 forms the road link from Derby to the villages of Shardlow, Aston on Trent, Weston on Trent, Ambaston, Elvaston and Thulston. All these areas will be impacted by the proposed new road accessed from a roundabout junction on the B5010.

Point 3d: This comment implies that a design to properly weigh the intensity and complexity of the impacts of development has not been completed or submitted.

Point 3e: Elvaston Parish Council notes that the applicant confirms the loss of parkland and woodland. The applicant confirms an impact on the setting of the heritage assets and the probability that there will be wider impacts to the highway network. This indicates that the development will lead to the net loss of public assets.

Point 3f: Elvaston Parish Council notes and agrees with the statement made by the applicant that the impacts of the development will last for a lifetime and even if aspects of the development were reversed scars would be left on the landscape.

Point 3g: The parish council is disappointed to note that the applicant, The Mace Group for the owners of the site, Derbyshire County Council, do not consider other known or proposed development projects at this stage. The impacts of the development will not be experienced on their own. There are other projects within the vicinity and all are within the parish of Elvaston which will experience the greater cumulative impact. These developments are the Northern Extension to the Elvaston Quarry, the new house building at Boulton Moor by Persimmon and Bellway Homes, the construction of a footbridge over the A6/A50 spur road, proposed lane widening and traffic light system for the Thulston Island and a loss of green belt for a proposed new sports facility and allotments south of the B5010 at Thulston. Additional flights into East Midlands Airport, which will transverse the parish, are planned due to the expansion of cargo operations and the new Freeport.

Elvaston Parish Council requests that the Environmental Statement submitted with any future planning application shows what measures will be necessary to mitigate for an increase in CO2 emissions within the parish and how the development is in line with stated local authority policies and government guidelines to achieve carbon net zero.

Point 3h: There is an obvious solution which will effectively reduce the impact of the proposed access route and car parks which the applicant does not acknowledge. Use of the existing access road and carparks which have been proven to successfully accommodate up to 750,000 annual visitors, whilst developing the core buildings of the historic estate, is an option which will not just reduce but will remove the impact. The Alternative Proposal prepared by the Elvaston Castle Action Group provided a fully costed alternative to the Derbyshire County Council's Masterplan which achieved the desired increase in visitor numbers with limited environmental impact.

### **Conclusion and Environmental Statement Topics**

Elvaston Parish Council requests that an Environmental Statement to accompany any future planning application should contain the following sections:

- Alternatives and Design Evolution – including assessment of existing access points
- The Proposed Development – to include all phases of the Masterplan
- Development Schedule and Comprehensive Detail of Construction
- Transport and Access Analysis

- Air Quality
- Impacts of Noise, Vibration and Dust
- Landscape and Visual Amenity
- Ecology, Wildlife and Biodiversity
- Water Quality, Hydrology and Flood Risk
- Soils, Geology and Agricultural Land
- Archaeology and Historic landscape
- Built Heritage
- Socio-Economics, Population and Human Health
- Climate Change and Carbon Neutrality

Using the sections above as guidance, Elvaston Parish Council would like the following points to be considered within the Environmental Statement.

The contravention of national government guidelines on climate change and global warming policies that the new roundabout, access road and car parks represent. How will the Environmental Statement justify the actions?

What environmental impact will the proposals have on the city of Derby? Over 33% of the Local Nature Reserve, which will be directly affected by the proposals, falls within the boundary of the city?

If the new access road is constructed what health and safety measures or mitigation will be put in place to prevent the increased risk of vehicular contact with pedestrians/cyclists/horse riders/wildlife?

How will sections of the road that cross other visitor traffic be managed?

How can the loss of public open space be justified when there is a shortage in South Derbyshire? There will also be additional loss of public open space when the Old English Garden is closed to promote income generating events such as weddings.

How will the loss of well documented archaeological remains within the park, some of which date back to the Mesolithic period be managed?

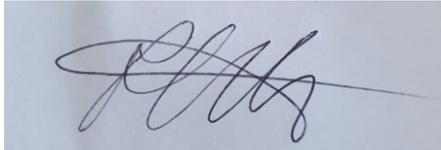
How will the potential for loss or damage to the Ipswichian gravel bed in the Regionally Important Geological and Geomorphological Site (RIGGS) located in the Oak Flat area be managed? There will be the potential for loss or damage to the prehistoric plant and fossil remains deposited within the RIGGS site.

How is the location of the proposed wooden holiday lodges and numerous retail outlets adjacent to St Bartholomew's Church, the historic private Harrington family vault and graveyards appropriate to the nature of the setting? St Bartholomew's Church is a grade 1 listed religious place of worship with private graveyards for mourners of the deceased. The Environmental Statement will need to consider the socio-economic implications of this proposal.

The Environmental Statement will also need to consider the implications of the infringement by the access road across established footpaths and bridleways, which by continued public use over decades have become legitimate rights of way. How will the proposed new access road minimise its impact when crossing these established footpaths.

Elvaston Parish Council thanks Derbyshire County Council's Planning Services for the opportunity to comment at this scoping stage regarding issues of concern for the parish and to give details of the information to be considered for inclusion in the relevant Environmental Statement. The council asks that it is kept informed at all stages of proposed development and members of the council would be happy to attend any meetings if required or appropriate.

Yours sincerely

A handwritten signature in black ink, appearing to be 'F. Stanbrook', written on a light-colored background.

Fiona Stanbrook  
Clerk & Responsible Financial Officer  
Elvaston Parish Council

Elvaston Parish Council  
Chairman – Cllr Sarah Leuenberger, Vice Chairman – Cllr Colin Bennett,  
Cllr George Dodson, Cllr Simon Spenser, Cllr Paul Bickerton,  
Cllr Toby Mansfield, Cllr Brian Slater, Cllr Stephanie Thompson