

Planning Committee 11th April 2023

APPLICATION NUMBER		22/01316/FUL	
SITE ADDRESS:		The National Stone Centre, Porter Lane, Middleton By Wirksworth	
DESCRIPTION OF DEVELOPMENT		Construction of replacement mixed use discovery centre with associated landscaping, drainage and car parking.	
CASE OFFICER	Adam Maxwell	APPLICANT	Mr James Thorne
PARISH/TOWN	Wirksworth	AGENT	Babenko Associates
WARD MEMBER(S)	Cllr Mike Ratcliffe Cllr Peter Slack	DETERMINATION TARGET	14.04.2023
REASON FOR DETERMINATION BY COMMITTEE	Major application	REASON FOR SITE VISIT (IF APPLICABLE)	For Members to appreciate the site and context.

MATERIAL PLANNING ISSUES
<ul style="list-style-type: none"> • Whether the development is acceptable in principle • Design, landscape impact and impact upon the character and appearance of the area • Impact on trees and biodiversity • Impact on cultural heritage • Sustainable building and climate change • Flood risk and drainage • Transport and Impact on highway safety • Impact upon the amenity of neighbouring properties

RECOMMENDATION
<p>That authority be delegated to the Development Manager or Principal Planning Officer to grant planning permission, subject to prior entry into planning obligation to secure funding for monitoring of travel plan and subject to the conditions set out in section 8.0 of the report.</p>

1.0 THE SITE AND SURROUNDINGS

- 1.1 The National Stone Centre (NSC) is located within the former Coal Hills quarry site north west of Wirksworth. The application site comprises 1.29 hectares within the site south of the High Peak Trail (HPT) occupied by the existing visitor centre / café building. The site is accessed from Porter Lane via a vehicular / pedestrian tunnel beneath the trail. The existing discovery centre is located on a flat plateau within the sloping complex of former quarries and provides a permanent 'story of stone' exhibition along with a café and educational facilities for visitors.
- 1.2 There is unrestricted public access to many parts of the site beyond the HPT, with a network of public rights of way around the site NSC and nearby lead mines. Evidence of the industrial past of two major industries (lead mining and quarrying) dominates the southern half of the NSC with large rock outcrops and occasional evidence of adits and fissures.
- 1.3 The nearest neighbouring properties include the Derbyshire Eco Centre and Mount Cook Adventure Centre to the north. The nearest residential properties are beyond the former quarry to the north west and west.
- 1.4 The site is partially within the Colehill Quarries Site of Special Scientific Interest (SSSI) and the National Stone Centre Quarries Local Wildlife Site. The site is also partially located within the Middleton by Wirksworth Conservation Area and approximately 280m to the north east of the remains of Nether Ratchwood and Rantor lead mines which are protected as a scheduled monument.

2.0 DETAILS OF THE APPLICATION

- 2.1 Full planning permission is sought for the construction of replacement mixed use discovery centre with associated landscaping, drainage and car parking.
- 2.2 The proposed discovery centre would comprise 922m² museum / exhibition space, 372m² flexible classroom space (with conference / theatre / concert configurations), 353m² café / restaurant, 95m² souvenir shop, 68m² offices, changing places facilities and ancillary storage and plant room. Landscaping around the building is also proposed including an open-air piazza and children's playground.
- 2.3 The plans show that the discovery centre would be sited to the south of the existing. The building would be three storey cantilevered out over the existing rock outcrop. The building would be a contemporary design conceived as two blocks projecting from the edge of the plateau referencing crystalline rock formations with a curved triangular section between the two blocks.
- 2.4 The discovery centre would be largely clad in coursed graduated natural limestone reflecting the stratification of sedimentary limestone rock visible in the quarries. Recessed zinc cladding would also be utilised between the main elements and to the proposed atrium and canopy. Other design details include cortenised steel brises soleil and an exposed concrete soffit with fossil imprints. The building would have solar panels and a 'biodiverse grass' roof.
- 2.5 The existing discovery centre would be demolished as part of the scheme after the completion of the replacement centre. The site of the existing centre would then become a circular stone paved piazza. The plans also show new pathways around the front of the building a relocated play area and cycle stands to the front of the building.
- 2.6 The existing parking area adjacent to the centre would be removed to form part of the proposed piazza. A new area of hard standing would be created to the north of the proposed

centre south of the HPT to provide 10 no. spaces for disabled visitors. The plans also show that the existing car park north of the HPT would be re-configured to provide 67 no. car parking spaces and that echelon parking either side of the access road would provide a further 32 no. car parking spaces of which 10 no. would be provided with electric vehicle charging points.

- 2.7 The application site consists of developed land, pockets of calcareous and neutral grassland, scrub and woodland. The development would result in the loss of bramble and mixed scrub and a small area of mixed woodland and lowland calcareous grassland. The application proposes on-site and off-site habitat enhancement works which would result in an overall biodiversity net gain of 10%.



3.0 PLANNING POLICY AND LEGISLATIVE FRAMEWORK

3.1 Adopted Derbyshire Dales Local Plan 2017

S1 Sustainable Development Principles
S4 Development within the Countryside
PD1 Design and Place Making
PD2 Protecting the Historic Environment
PD3 Biodiversity and the Natural Environment
PD4 Green Infrastructure
PD5 Landscape Character
PD6 Trees, Hedgerows and Woodlands
PD7 Climate Change
PD8 Flood Risk Management and Water Quality
PD9 Pollution Control and Unstable Land
HC18 Provision of Public Transport Facilities
HC19 Accessibility and Transport
HC20 Managing Travel Demand
HC21 Car Parking Standards
EC8 Promoting Peak District Tourism and Culture

3.2 Adopted Wirksworth Neighbourhood Development Plan 2015

NPA 1 Setting and shape of the settlement
NPA 2 Quality and character of development within the settlement
NPA 3 Sites with concept statement
NP 11 Loss of existing facilities and open spaces
NP 13 Overnight accommodation and tourism development
NP 16 Energy-saving standards for non-residential developments
NP 19 Provision for pedestrians and cyclists
NP 21 Impact of new retail development (viability of established independent traders)

3.3 Other:

The National Planning Policy Framework (NPPF) (2021)
National Planning Practice Guidance
Climate Change Supplementary Planning Document (SPD) (2021)
Landscape Character and Design SPD (2018)

4.0 RELEVANT PLANNING HISTORY:

08/00741/FUL	Erection of canopy extension	PERC	21/11/2009
20/00471/FUL	Proposed extension	PERC	16/11/2020
0688/0459	VISITOR/RECEPTION BUILDING COMPRISING EXHIBITION AREA, CAFETERIA, SHOP AND TOILETS	A	12/09/1988

5.0 CONSULTATION RESPONSES

5.1 Wirksworth Town Council: No comment.

5.2 Middleton By Wirksworth Parish Council: No response to date.

5.3 Derbyshire Wildlife Trust

“The National Stone Centre is situated in an ecologically sensitive area, surrounded by the National Stone Centre Local Wildlife Site (LWS) and Colehill Quarries Site of Special Scientific Interest (SSSI). These sites are particularly important for calcareous grassland, open mosaic habitat and invertebrates, along with geological interest. The footprint of works will encroach into the SSSI/LWS, resulting in some habitat loss. Whilst the Ecological Appraisal states that valuable habitat is not present in this location, the plans do indicate that calcareous grassland will be lost in this area. We note that Natural England have requested additional information regarding potential impacts to the SSSI and whilst this focuses on the geological reasons for designation, a clear plan showing the exact overlap of the proposals with the boundary of the SSSI (and LWS) would be useful.

A large proportion of the proposed development will be located on existing developed ground, within the existing footprint of the Stone Centre, driveway, parking and playground. The main areas of habitat loss (grassland, scrub and woodland) will be immediately south of the existing terrace, either side of the entrance road north of the High Peak Trail and in an area to the west proposed for new parking spaces. As the building will be cantilevered over the southern portion of the site, there may be some possibility of re-creating some habitat in this location upon completion of works e.g. open mosaic habitat, depending on the level of shading.

Currently, a net loss of -2.4 habitat units (38%) is predicted. This includes losses of calcareous grassland, neutral grassland, mixed and bramble scrub and mixed and broadleaved woodland.

The Design and Access Statement indicates the intention to provide a 10 % net biodiversity gain. The Ecological Appraisal states that an offsetting strategy is required, however no details have as yet been provided. Whilst we agree that offsetting measures can be secured via condition or 106 agreement, the details of the offsetting should be agreed prior to determination to provide the LPA with sufficient confidence that a net gain is achievable. Habitat creation / enhancement should be secured within the Stone Centre land as a first resort and we advise that suitable locations are identified at this time. Proposals should be entered into the metric to demonstrate a gain and full details should be presented in an Offsetting Strategy Report.

It is also important that the onsite habitat creation is designed to benefit the wildlife that use the area. Whilst no reptiles were recorded in the Reptile Survey, records are present in the local area and onsite/adjacent habitats are suitable. The existing calcareous and neutral grassland are also likely to be used by invertebrates, including S41 butterflies.

We advise that details of biodiversity offsetting are submitted by the applicant at the earliest opportunity. Once a sufficient level of confidence has been provided that the scheme will achieve a net gain and that species mitigation can be incorporated, we advise that likely planning conditions will include the following:

- Landscape and Biodiversity Enhancement and Management Plan (LBEMP)
- Construction and Environmental Management Plan (CEMP: Biodiversity)
- Sensitive Lighting Scheme”

Officer Note: Officers have sought additional information from the applicant in regard to Biodiversity Net Gain. This has been submitted and Derbyshire Wildlife Trust have been re-consulted. No further response has been received to date. If a response is received before the meeting it will be updated as a late representation.

5.4 Environment Agency: No comment.

5.5 Force Designing Out Crime Officer

“There are no objections to the proposal in principle, nor the detail submitted. I wouldn’t see the location and use proposed as at high risk of offending, with a caveat towards some emerging trends and the unknown element of any high value or desirable artefacts to be kept on site.

It’s reassuring to see that reducing crime and anti-social behaviour are a continuing consideration within the application design brief.

I note from your pre-application advice that secure cycle storage is recommended, and this is fleshed out within the supporting travel plan, with a proposal for 10 Sheffield style stands in front of the building entrance.

There is an emerging trend for organised crime groups to be involved in the theft of high value and electric cycles, travelling over wider areas than the traditional urban hot spots and equipped with cutting equipment, so in that respect the use of open hoops would not generally be considered as secure for cycles left for more than a brief period.

It’s appreciated that the location proposed should not be accessible to vehicles, and is in view within the main movement area of the site, however, if on balance it is considered that cycle use is likely to be frequent, there is an opportunity to be one step ahead of this emerging trend, in specifying a more secure provision for cycles, and a higher quality provision for cyclists. This would usually take up more space than Sheffield type stands as a more secure provision would normally include enclosure, either collectively or individually. I would be happy to offer guidance in this area if needed.

The end user profile in terms of internally stored or displayed artefacts of value will clearly impact upon the security provision specified for the new centre. I would expect the applicants to be using their own sub-contractor for this provision, but as with cycle storage, I would be happy to help with specifics.”

5.6 Highway Authority

“The application seeks to demolish the existing centre buildings and replace them with a more modern facility including education facility and café. The applicant has provided a Transport Statement (TS) and Travel Plan (TP) to support their proposal.

The site access from Porter Lane is not a publicly maintained highway, although the Public Rights of Way network follow the access routes and through the site, the Local Planning Authority should pay regard to the specific comments offered by the Public Rights of Way officer and the need to provide additional clarification on signal arrangement under the bridge to ensure that it offers suitable protection and priority to pedestrians. It is recommended that details of the arrangement are provided before the new construction commences to ensure that it provides a deliverable and suitable design.

The applicant has engaged with the Highway Authority before the application was submitted and provided details within the TS to clarify the comments made.

The applicant considers that there will be a significant uplift in demand arising from the proposal, and table 4 in the TS considers the number of vehicle movements, this also assists

in considering the suitability of the increased car parking provision. Whilst there is not an hourly vehicle accumulation provided it is considered that there will be a spread in demand across a typical day and the proposed car parking levels are not disproportionate to the estimated number of vehicles.

The site has strong sustainable access potential being located immediately off the High Peak Trail and within reasonable cycling distances of several larger villages and public transport access. Equally education trips will use a coach resulting in single trip for many visitors. It has been identified that the existing bus stops need to be improved to ensure that there is a hard standing and suitable pedestrian connection and presently the arrangement is informally provided. A condition is therefore recommended to secure the bus stop improvement and pedestrian link, this is over and above the pedestrian works proposed.

It is considered that despite the projected increase in demands there will not be an impact on safety or capacity, and there are realistic alternatives to vehicle access.

The applicant has prepared a TP to encourage sustainable travel patterns. This has been reviewed by the travel plans officer and it is considered that improvements are needed, this can be addressed using a suitably wording planning condition. It proposes to utilise the Modeshift Stars programme to monitor and manage success, which is a welcome provision, however a planning obligation is needed to provide for the Local Authority monitoring function and therefore a Section 106 agreement or Unilateral Undertaking should be provided. The applicant is invited to discuss the contents of the travel plan with the Highway Authority in preparation for a future discharge of conditions application.

The Highway Authority considers that the application is acceptable and despite there being an increase in trips this will not have an unacceptable impact on highway safety or a severe impact on capacity. There is a choice of sustainable transport options to provide a realistic alternative to car trips, and in this instance a significant level of demand will be from schools and access will be by coach which is similar to current arrangements.

In order to ensure that pedestrians are catered for the applicant has proposed a series of interventions which impact on the rights of way network, notably safety measures under the existing bridge however details are needed to understand this arrangement and a condition is suggested to address this.”

The Highway Authority recommend planning conditions to agree details of the proposed signal scheme located surrounding the bridge carrying the High Peak Trail, provision of bus stop improvements and footway connections to Porter Lane and approval of a revised travel plan. The Highway Authority also recommend that a financial contribution is secured by planning obligation for travel plan monitoring.

5.7 Historic England

“Historic England provided advice on this scheme in our letter dated 21st December 2022. We highlighted the need for an assessment to consider the impact of the scheme upon the setting of the nearby Nether Ratchwood and Rantor lead mines scheduled monument, as per Paragraph 194 of the National Planning Policy Framework.

We welcome the assessment which has been now provided. This is a good document which has fully considered visual impacts as well as the relationship between the scheduled monument and its wider historic landscape. It has clarified the potential impact of the scheme and we support its conclusions. We have no objection to the proposals.

We also note and support the recommendations in the assessment regarding future tree management and opportunities for new interpretation.”

5.8 Lead Local Flood Authority

No objection subject to planning conditions.

5.9 Natural England

“No objection – subject to appropriate mitigation being secured.

We consider that without appropriate mitigation the application could damage or destroy the interest features for which Colehill Quarries Site of Special Scientific Interest (SSSI) has been notified.

In order to mitigate these adverse effects and make the development acceptable, a Geological Management Plan (GMP) is required to ensure the features of the site are considered and protected in the presence of the discovery centre.

We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.”

5.10 DDDC Design and Conservation Officer

“The National Stone Centre, established in 1980, is partly within and partly outside the Middleton Conservation Area. The part of the site in question currently contains a large rectangular building (‘The Discovery Centre’) and associated areas on a man-made plateau adjacent to historic quarrying activity etc. Part of the site is within the SSSI and to the south-west is a scheduled monument.

The proposed development is the demolition of the current ‘Discovery Centre’ and its replacement with a much larger building comprising a café/restaurant, four classrooms, museum/exhibition space, shop, sanitary facilities, playground, open air ‘piazza’ and parking area. The new building is to be curved in plan-form with two projecting elements over the sloping land to the edge of the plateau. Its walls are to be limestone cladding (‘coursed & dimensional split-faced stone’), zinc cladding, exposed concrete soffit to overhang, grass roof and single-ply membrane roof covering or GRP, grey aluminium window/door frames. The roofs to the two projecting sections will have parapets which will conceal an array of solar panels.

The proposed design concept is modern/contemporary and the plan-form and shape of the building reflects its position on the edge of the plateau. The extensive use of stone cladding is a reflection of the limestone quarrying in which the site has a long history and that the building is within the National Stone Centre. It is considered that the proposed new building

is a contemporary architectural response to the site and context and in its proposed scale form and general design etc., will not constitute adverse harm to this part of the Middleton Conservation Area, subject to the approval (via conditions) and detailing of the external facing materials. It will be important, via conditions, that sample and sample panels of all external facing materials and all building details/components are approved in order to ensure that the drawn design & concept is transposed into a high quality and well detailed new building on the site. The design and detailing of the associated landscape will also be important to the setting and context of the new building.”

5.11 DDDC Environmental Health

No response to date.

5.12 DDDC Trees and Landscape Officer

“Trees

Some of the existing trees on the site are subject to statutory protection (conservation area) and some of the site is within an SSSI.

The site and its surroundings generally currently has a good level of tree cover with a range of typical local species and with a range of ages. In order to maintain the current character and appearance of the site and its contribution to the local landscape I recommend that a good level of tree cover is maintained and incorporated for the long term into the proposed development. It is particularly important to retain larger trees because their diverse contribution to amenity cannot be replaced quickly.

The submitted arboricultural report is not an Arboricultural Impact Assessment (AIA) to BS 5837 (2012) and so it does not provide sufficient information to allow assessment of the potential impact of the proposals to trees.

To facilitate an assessment of the potential impact of the proposals on these trees requires further information to be submitted. I recommend that the applicant should submit for approval pre-determination an AIA prepared according to the guidelines of BS 5837 (2012). This should include:

- a Tree Schedule to include all trees within 15m of the red line boundary of the site,
- a Tree Constraints Plan based on the existing layout of the site,
- a Tree Retention and Removals Plan based on the proposed layout of the site, and
- a Tree Protection Plan based on the proposed layout plan with specification for temporary tree protection fencing and/or temporary ground protection.

If the AIA indicates that development or site activity would encroach into the canopy extent or root protection area of any retained trees then I recommend that a detailed site specific Arboricultural Method Statement be submitted for approval. This could be required as a condition to a grant of planning consent.

Visual impact in the landscape

I have reviewed the submitted LVIA for this planning application and I agree with its conclusions that the proposals will be visible from some locations in the surroundings but will appear as a neutral-beneficial change within the landscape and will not be significantly more intrusive than the existing development at the Stone Centre.

Biodiversity

The proposed development of the site involves loss of bramble and mixed scrub and a small area of mixed woodland and lowland calcareous grassland for the creation of additional car parking spaces and construction of the new building.

The proposed plaza space that would be developed on the location of the existing building (which would be removed) may be either a neutral grassland area (Option 1) or a paved surface treatment (Option 2). Whichever of these options is developed, there will still be the need for biodiversity improvements to be provided off site in order for the development to achieve a 10% net gain for biodiversity. These would be creation of grassland and improved woodland management at locations within the wider land ownership at the Stone Centre. The locations for these improvements are indicated in the Biodiversity Net Gain Assessment report. In my opinion these proposals relating to Biodiversity Net Gain are acceptable and should be required to be completed satisfactorily to discharge a condition to any grant of planning consent.

The on-site and off-site woodland and grassland habitats should be created and managed in accordance with the prescriptions in a Landscape and Ecology Management Plan (LEMP) to ensure they meet their appropriate target conditions. I recommend that the LEMP be submitted for approval to discharge a condition to any grant of planning consent.”

5.13 DCC Archaeologist

No objection

5.14 DCC Rights of Way

“I can confirm that Wirksworth Public Footpaths No. 2 and No. 4 run through the proposed development site, as shown on the attached plan. In addition, there is a restricted byway running through the site. This is a recent addition and so has not yet been properly digitised, although the approximate position is shown on the plan. Parts of Footpath 2 and Footpath 4 were upgraded to restricted byway, and some sections of restricted byway were new additions to the Public Rights of Way network. Part of the new restricted byway has recently been diverted, the approximate position of which is also shown.

In the layout plan submitted with the planning application, there is mention of the existing ‘footpath’ being ‘diverted to the back of the parking bays’. However, in that location Footpath 2 has now been upgraded to restricted byway. Also, if any Public Rights of Way need to be diverted to facilitate the development, the applicant should apply to your council for the requisite diversion. The applicant should be advised that an application can be submitted for the diversion of a Public Right of Way in advance of planning permission being granted.

Those sections of Footpath 2 and Footpath 4 that have not been upgraded to restricted byway are not clearly shown on the plans. It is also not clear how they will be treated during and after the development. In planning the incorporation of footpaths into a development, preference should be given to the use of made-up paths through landscaped or open space areas away from vehicular traffic. This is for the safety and enjoyment of path users. Footpaths 2 and 4 cross the restricted byway, so measures to ensure the safety of path users are particularly important in these places, and where routes are shared, such as where part of Footpath 2 now runs along the same line as part of the restricted byway, just south of the underpass. Also, it appears that the alignment of the used paths on the ground, differs from the legal alignment of the paths, in places. The legal lines of the paths must remain open and unobstructed at all times, and be suitably signposted for path users. More information is required about the intentions for these paths, including more details of the safety measures proposed, such as the traffic signals at the underpass.”

The Rights of Way Assistant advises that informatives are imposed upon any planning permission.

5.15 Peak & Northern Footpaths Society

“I have no objections in principle to the application, although I do have a few concerns:

- (i) It is intended to divert at least part of Wirksworth FP2; this must be carried out by means of the making and confirming of a legal order.
- (ii) I hope that consideration will also be given to further diversion of the FP both N and S of the new building so that walkers are segregated from vehicular traffic wherever possible.
- (iii) Note that the route shown for FP2 on the drawings, labelled "Tactile paving for crossing facility to be installed" is not actually on the legal line of the FP - this must be sorted with the county council.
- (iv) The diverted and undiverted sections of the FP must be surfaced with the authority of the county council so that they are suitable for the increased number of walkers in ordinary footwear.
- (v) The traffic light controlled use of the underpass must give priority to walkers.
- (vi) Walking access along the route to be used for emergency vehicles must be safeguarded, preferably by means of segregation.
- (vii) The full legal width of FP2 must be unobstructed at all times during and after construction unless the FP is closed with a legal order and a suitable alternative route provided.
- (viii) All the public rights of way must be signed appropriately so that people know where they have a right to walk.”

5.16 Derbyshire Dales Ramblers

“Ramblers Derbyshire Dales Group has no objection providing that:

A. General points:

- i) Rights of Way Wirksworth FPs 1, 2 & 3 remain unaffected at all times, including the path surface, both during and after any development
- ii) Consideration should be given to the safety of members of the public using the Right of Ways both before and during the proposed works

iii) Any encroachment of the paths would need consultation and permission with/from the DCC Rights of Way Team

B. Specific points

iv) Under Landscape Assessment p. 12, there is reference to 'route of a restricted byway, which was recently diverted'. This, I understand, would run from the tunnel under the HPT and end just past the junctions of FPs 2 & 4. However, this diverted RB is yet to be shown on the online Definitive Map. It is essential that this is clarified asap, so as to be able to ascertain the correct RoW status and from this, any rights and restrictions for access.

v) I note there is also an ongoing DMMO claim to upgrade FP 2 north of the HPT tunnel (to the junction with FP 3) and the whole of FP 3 to Porter Lane. It would be beneficial to clarify the position of the claim

vi) I note that part of FP 2 to Porter Lane runs along the present access track. Diverting this onto either the proposed eastern side path or the existing separated western path would ensure walkers' safety

vii) The section of FP 2 from its junction with FP 3 to the HPT tunnel shows the FP running at the side and off the access track. However, there is presently vehicle parking spaces along this section. This is an obstruction of the RoW. PRow should be asked for consultation and advice to resolve this

viii) Pedestrian guide walking lines for the RoWs should be considered across the car park

ix) Any change to the narrow tunnel under the HPT should take into account walkers' safety. Other than 'emergency/construction access' (p.30), any other vehicle access should be restricted. The RoW is presently shown as a FP, upgraded to RB (?). Would this restriction apply to deliveries and those with disabilities only?

x) It is welcome that there are a number of additional paths and access across the NSC site"

6.0 REPRESENTATIONS RECEIVED

6.1 Three letters of representation has been received to date including a letter from Wirksworth Civic Society (WCS). One letter objects to the application while the other two generally support the proposed development but raise concerns. The material planning issues raised are summarised below:

- a) Insufficient information has been provided to show how the building would sit within the landscape. Recommend that a 3D model and photographic depictions are provided.
- b) Discrepancies between submitted plans and artist's impression.
- c) More information in regard to materials should be provided to ensure a high level of design.
- d) Would like confirmation that the current building will remain in use during construction.
- e) The proposed 'emergency' construction access from Ravenstor Road is sensible given the size of the arch. This could be retained for future use particularly by the Emergency Services, wheelchair and pushchair access from Wirksworth.
- f) Concern that construction traffic will cause a mess on Porter Lane.
- g) There will be more traffic onto Porter Lane which is a 50mph road. Query if the speed limit of the road will be looked at.
- h) Concern about the impact of the development upon highway safety.
- i) Submitted drawings are incorrect and do not show the correct route of the sewer which diverts off Old Lane, passing through land on the Ravenstor Road industrial estate and discharging to manhole 7702 on Cromford Road.

- j) The development would add considerably to the sewer loading.
- k) The sewer is only 150mm diameter, increasing to 225mm in the industrial estate.
- l) The sewer is an inadequate size to carry the resulting sewage.

7.0 OFFICER APPRAISAL

- 7.1 The application seeks full planning permission for the construction of a replacement mixed use discovery centre with associated landscaping, drainage and car parking.
- 7.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission under the Act are determined in accordance with the development plan unless material considerations indicate otherwise. The development plan for the purposes of the Act is the Adopted Derbyshire Dales Local Plan (2017) and the Adopted Wirksworth Neighbourhood Development Plan (2015).
- 7.3 Having regard to the above, consultation responses and representations received and the relevant provisions of the development plan and the National Planning Policy Framework (NPPF), the main issues to assess are listed below.
 - Whether the development is acceptable in principle
 - Design, landscape impact and impact upon the character and appearance of the area
 - Impact on trees and biodiversity
 - Impact on cultural heritage
 - Sustainable building and climate change
 - Flood risk and drainage
 - Transport and Impact on highway safety
 - Impact upon the amenity of neighbouring properties

Principle

- 7.4 Outside of defined settlement boundaries policy S4 seeks to ensure that new development protects and, where possible, enhances the character and distinctiveness of the landscape, the historic and cultural environment and the setting of the Peak District National Park whilst also facilitating sustainable rural community needs, tourism and economic development.
- 7.5 Policy EC8 is directly relevant to the proposals and supports development which promotes Peak District tourism or culture in sustainable locations, particularly where development would enhance existing facilities.
- 7.6 The site is located beyond the edge of Wirksworth and therefore is in the open countryside. Nevertheless, the National Stone Centre (NSC) is an established site and provides significant economic and social benefits to the local area while maintaining public access and understanding of our cultural heritage related to quarrying and lead mining. The site is also closely related and connected to Wirksworth by the High Peak Trail (HPT) and public rights of way and there are existing bus services on Porter Lane.
- 7.7 Therefore in principle the enhancement of the facilities at the NSC is supported and in accordance with policies S4 and EC8 and policy NP13 of the Neighbourhood Plan which encourages appropriate tourism development. The key issues therefore are related to the impacts of the development upon the site and the local area.

Design, landscape impact and impact upon the character and appearance of the area

- 7.8 Policy S1 states that development should conserve and where possible enhance the natural and historic environment, including settlements within the plan area. Policy PD1 requires all

development to be of high quality design that respects the character, identity and context of the Derbyshire Dale's townscapes and landscapes.

- 7.9 Policy S4 s) states that permission will be granted for development where it does not undermine, either individually or cumulatively with existing or proposed development, the physical separation and open undeveloped character between nearby settlements either through contiguous extension to existing settlements or through development on isolated sites and land divorced from the settlement edge.
- 7.10 Policy PD5 deals specifically with landscape character and states that the Council will seek to protect, enhance and restore the landscape character of the area. This will be achieved by requiring that development has particular regard to maintaining landscape features, landscape character and the setting of the Peak District National Park. 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 Policy PD1 goes on to say that development will only be permitted where the location, materials, scale and use are sympathetic and complement the landscape character, natural features (including trees, hedgerows and water features that contribute positively to landscape character) are retained and managed and opportunities for appropriate landscaping are sought such that landscape characteristics are strengthened. Neighbourhood Plan policy NPA 2 provides more detailed criteria for the quality and character of development within the area.
- 7.12 The application site comprises land within the former quarry with man-made plateaus dropping through the site with limestone outcroppings framed by woodlands and mature trees. There are more distant views from the site to the wider countryside to the south, especially from the HPT which is elevated above the site and affords clear views over the existing discovery centre. The site lies within the White Peak Landscape Character Area (LCA). The southern part of the site (south of the HPT) is largely within the Limestone Slopes Landscape Character Type (LCT) and the northern part of the site is within the Limestone Plateau Pastures LCT reflecting the distinctive change in landscape from open pasture to steep limestone slopes. The site is not subject to any landscape designations; however, the site is located partially within the Middleton by Wirksworth Conservation Area (CA) and there are several public rights of way (PROW) within and in close proximity to the site.
- 7.13 The Limestone Slopes LCT is a landscape of small, nucleated limestone villages and dispersed farmsteads nestling within moderate to steeply sloping limestone slopes. Distinctive dry-stone walls enclose former open fields and semi-regular fields with a pastoral land-use. The Plateau Pastures LCT is a gently rolling, upland limestone plateau characterised by nucleated limestone villages, dry-stone walls, a pastoral land-use and open, expansive views. Pasture, and particularly dairying, is the dominant land-use in this landscape.
- 7.14 The application is supported by a Landscape and Visual Impact Appraisal (LVIA). The LVIA identifies the relevant LCA and LCT, and examines the value of the landscape and the impact of the proposed development.
- 7.15 The LVIA provides an assessment of the sensitivity of this landscape and it is considered that the site and immediate landscape is of medium landscape value and a low-medium sensitivity to the proposed development. The LVIA states that due to the benefits of the design compared to the existing built development that during operation (following completion) the development would have neutral / beneficial effect upon up landscape character which is characterised by large scale man-made change and in which large and industrial built form is a common element.

- 7.16 Impacts upon local visual receptors are also considered by the LVIA which concludes that the site is well contained within the NSC through steep slopes and craggy outcrops and naturally regenerating woodland. At distances of 0.5km or more the site become visible from elevated locations, particularly to the east where rising slopes allow for views across to the site from residential areas of the village and a small number of locations along the public footpath network and highway. Visual impacts of the proposed development are therefore considered to be very limited and beneficial compared to the existing development.
- 7.17 The proposed building would be significantly larger in floor space and volume compared to the existing discovery centre. The proposed centre would largely be given over to exhibition space with flexible classrooms along with ancillary café, retail, offices, storage and plant. The proposed design takes advantage of the sloping site by utilising a cantilever design over the limestone edge to provide additional floor space while maintaining a single storey scale to allow views over from the HPT. The proposed design therefore successfully assimilates a larger scale of development within the site in a manner which enhances both the immediate setting and wider landscape.
- 7.18 The proposed design would be of a high standard with a contemporary appearance and the plan-form and shape of the building reflects its position on the edge of the plateau. The extensive use of limestone cladding is appropriate and a reflection of the historic use of the site and that the building is within the NSC. The proposed building would be set within a landscaped area which utilises the existing levels, appropriate materials and incorporates public open space and play area.
- 7.19 Therefore, subject to planning conditions to secure agreement of appropriate architectural detailing, finishes, materials and landscaping the development would be of a high standard of design which would enhance the NSC, the wider area and landscape character in accordance with policies S1, S4, PD1, PD5 and NPA 2.

Impact on trees, biodiversity and geodiversity

- 7.20 There are a number of trees and hedges on and adjacent to the site that could be affected by the development. Policies S1 and PD3 state that the Council will seek to protect, manage and where possible enhance the biodiversity and geological resources of the area by ensuring that development will not result in harm to biodiversity or geodiversity interests and by taking account of a hierarchy of protected sites. This will be achieved by conserving designated sites and protected species and encouraging development to include measures to contribute positively to overall biodiversity and ensure that there is a net overall gain to biodiversity.
- 7.21 The application is supported by an Ecological Appraisal (EA), Reptile Survey (RS), Geodiversity Statement (GS), Arboricultural Report (AR) and Biodiversity Net Gain Assessment and metric (BNG).
- 7.22 The trees to the north and west of the site are subject to statutory protection by being within the Conservation Area. There are no trees subject to Tree Preservation Order (TPO) on the site or close enough to be adversely affected by the proposals.
- 7.23 The Tree and Landscape Officer advises that the site and its surroundings generally currently has a good level of tree cover with a range of typical local species and with a range of ages. In order to maintain the current character and appearance of the site and its contribution to the local landscape it is recommend that a good level of tree cover is maintained and incorporated for the long term into the proposed development. It is particularly important to retain larger trees because their diverse contribution to amenity cannot be replaced quickly.

- 7.24 The submitted AR is preliminary in nature but identifies that trees will need to be removed to facilitate the development. This includes a category C Pine, category C trees within two groups of trees and one category B Pine. The report makes recommendations on replacement planting and recommends that a formal Arboricultural Impact Assessment (AIA) be made to inform the development.
- 7.25 The Tree and Landscape Officer also advises that an Arboricultural Impact Assessment (AIA) be prepared and submitted prior to determination to inform the development. However, it is considered that there is sufficient information in the submitted application for the impact upon trees to be understood. The development will require the removal of trees associated with good management (not necessarily associated with the development) and as a direct result of the development. However, impact upon category A and B trees would be limited and subject to appropriate and comprehensive replacement planting the development would enhance trees on site in accordance with policy PD6.
- 7.26 If permission is granted planning conditions would be recommended to secure the submission of an Arboricultural Impact Assessment and Method Statement (as appropriate) along with conditions to secure comprehensive re-planting as part of a wider scheme of mitigation and enhancement measures.
- 7.27 The National Stone Centre is situated in an ecologically sensitive area, surrounded by the National Stone Centre Local Wildlife Site (LWS) and Colehill Quarries Site of Special Scientific Interest (SSSI). These sites are particularly important for calcareous grassland, open mosaic habitat and invertebrates, along with geological interest.
- 7.28 The footprint of the proposed development will encroach into the SSSI and LWS, resulting in some habitat loss. Whilst the Ecological Appraisal states that valuable habitat is not present in this location, the plans do indicate that calcareous grassland will be lost in this area. A large proportion of the proposed development will be located on existing developed ground, within the existing footprint of the Stone Centre, driveway, parking and playground. The main areas of habitat loss (grassland, scrub and woodland) will be immediately south of the existing terrace, either side of the entrance road north of the High Peak Trail and in an area to the west proposed for new parking spaces.
- 7.29 The development would result in a net loss biodiversity between 31.26% and 40.74 without mitigation. This includes losses of calcareous grassland, neutral grassland, mixed and bramble scrub and mixed and broadleaved woodland. In accordance with the requirements of policies S1 and PD3 a biodiversity net gain assessment has been undertaken and submitted with the application. The assessment proposes enhancement within the wider NSC site to grassland, mixed woodland and broadleaved woodlands which would result a minimum 10% net gain.
- 7.30 Having regard to the advice from Derbyshire Wildlife Trust (DWT) the application has demonstrated that, subject to planning conditions to secure avoidance measures, a Landscape and Biodiversity Enhancement Plan (LBEMP) a Construction and Environment Management Plan (CEMP) and an appropriate lighting scheme that it can be carried out in a manner that will not harm designated biodiversity sites or protected species and will achieve biodiversity net gain in accordance with policies S1 and PD3.
- 7.31 Following initial comments from Natural England the applicant has submitted additional information in regard to the precise position of the development. Colehill Quarries SSSI is designated for its geological features, which have national importance to geologists and their studies of the limestones and their fossils. These include Carboniferous limestones, which are variable in type and contain a rich assemblage of fossils. These reveal a number of distinctive reef environments existed in the area in late Devonian times. The SSSI is currently in favourable condition, as per the national target.

7.32 Natural England advise that due to the siting of the building away from any important geological exposures, there will be no significant impacts to the SSSI features from the building itself. However, Natural England advise that a Geological Management Plan (GMP) is required to cover the maintenance of the geological exposures. Therefore if permission is granted a planning condition would be recommended to secure a Geological Management Plan (GMP). Therefore the development will not harm the SSSI or geodiversity in accordance with policies S1 and PD3.

Impact on cultural heritage

7.33 Policies PD2 is relevant and states that the Council will conserve heritage assets in a manner appropriate to their significance. This will take into account the desirability of sustaining and enhancing their significance and will ensure that development proposals contribute positively to the character of the built and historic environment. Particular protection will be given to heritage assets including (amongst other things) conservation areas, listed buildings, archaeological sites or heritage features and non-designated heritage assets.

7.34 The site is partially within Middleton Conservation Area and the site is located approximately 280m to the north east of the Nether Ratchwood and Rantor lead mines which are protected as a scheduled monument. Both the Conservation Area and scheduled monument are designated heritage assets. The Local Planning Authority is obliged to have special regard to the desirability of preserving scheduled monuments, their setting or any features of special architectural or historic interest which they possesses. The Local Planning Authority is also obliged to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.

7.35 The NPPF states that ‘the setting of a designated heritage asset can contribute to its significance. Historic England’s national guidance on the ‘setting of heritage assets’ (2015) states that “the setting of a heritage asset is the surroundings in which a heritage asset is experienced. Its extent is not fixed”. Furthermore, it states that the importance of setting lies in “what it contributes to the significance of the heritage asset”.

7.36 The proposed design concept is modern / contemporary and the plan-form and shape of the building reflects its position on the edge of the plateau. The extensive use of stone cladding is a reflection of the limestone quarrying in which the site has a long history and that the building is within the National Stone Centre. The proposed new building is a contemporary architectural response to the site and context and in its proposed scale, form and general design is appropriate in this context and will therefore conserve and enhance this part of the Conservation Area, subject to approval of details, landscaping and materials.

7.37 Following initial comments from Historic England an assessment of the potential impact of the development upon the scheduled monument has been submitted. The assessment concludes that the proposed development does not have any impact on the scheduled monument. The relative altitudes prevent a direct line of sight and the intervening woodland forms an effective screen. The development may also provide opportunities for new exhibitions and interpretation of the monument along with guided walks. This would raise awareness of the scheduled monument, its history and extent.

7.38 The proposed development would conserve and enhance the Conservation Area and the setting of the scheduled monument in accordance with policy PD2 and NPA 2 and the National Planning Policy Framework. These are public benefits which weigh in favour of the development.

- 7.39 The County Archaeologist has been consulted and advises that there the development would not impact upon below ground archaeology.

Sustainable building and climate change

- 7.40 Policies S1 and PD7 state that the Council will promote a development strategy that seeks to mitigate the impacts of climate change and respects our environmental limits by: requiring new development to be designed to contribute to achieving national targets to reduce greenhouse emissions by using land-form, layout, building orientation, planting, massing and landscaping to reduce energy consumption; supporting generation of energy from renewable or low-carbon sources; promoting sustainable design and construction techniques, securing energy efficiency through building design; supporting a sustainable pattern of development; water efficiency and sustainable waste management. Neighbourhood Plan policy NP 16 provides more detailed criteria for energy-saving standards within the area.
- 7.41 The application is supported by a Climate Change Statement which addresses mitigating global warming and adapting to climate change. The statement sets out a number of measures incorporated into the development including: retention and integration of trees and green space, achievement of biodiversity net gain, integration of rainwater / grey water harvesting systems, sustainable drainage, meet BREEAM 'very good' standard, use locally sourced and sustainable materials, natural ventilation, low powered lighting and appliances, heat recovery systems, solar voltaic panels, electric vehicle charge points, cycle storage and good connections for walkers, cyclists and public transport.
- 7.42 The climate change statement is comprehensive and holistically deals with a range of issues. The proposed development if implemented in accordance with the submitted statement would achieve best practice in terms of sustainable building and mitigating the impacts of climate change. The application therefore goes beyond the requirements of policies S1, PD7 and NP 16. These are public benefits which weigh in favour of the development.

Flood risk and drainage

- 7.43 The whole site is located within Flood Zone 1 which is described as land having a less than 1 in 1,000 annual probability of river or sea flooding. The site is therefore at low risk from flooding. The application is for major development and therefore a Flood Risk Assessment (FRA) has been submitted with the application.
- 7.44 Policies S1 and PD8 are relevant and state that the Council will support development proposals that avoid areas of current or future flood risk and which do not increase the risk of flooding elsewhere. Development will be supported where it is demonstrated that there is no deterioration in ecological status either through pollution of surface or groundwater or indirectly through pollution of surface or groundwater or indirectly through overloading of the sewerage system and wastewater treatment works. New development shall incorporate Sustainable Drainage Measures (SuDS) in accordance with national standards.
- 7.45 The FRA includes a drainage strategy. The application proposes a Sustainable urban Drainage System (SuDS) designed to accommodate the 1:30 year rainfall event without any surface water flooding and capable of retaining the 1:100 year plus 40% climate change storm event without flooding any buildings. This is an appropriate means of dealing with surface water from the new impermeable areas created by the development to soakaways in principle and would potentially contribute positively to biodiversity.
- 7.46 Foul water would be conveyed to the main sewer by an existing sewer which serves the existing centre. Discharge to the main sewer is acceptable in principle and in accordance with Planning Practice Guidance. Concern has been raised in regard to the capacity of the

main sewer and access arrangements. This however is a private matter / matter for the statutory undertaker. The disposal of foul sewage to the main sewer is acceptable in principle and would mitigate risk of pollution of the water environment in accordance with policy PD9.

- 7.47 The Environment Agency (EA) and Lead Local Flood Authority (LLFA) have been consulted. The EA raise no objection to the development. The LLFA also raise no objection, subject to the imposition of planning conditions.
- 7.48 The submitted FRA demonstrates that the development would be located within Flood Zone 1 an area of lowest flood risk. The development would be appropriately flood resistant and resilient. Any residual flood risk could be safely managed and safe access and escape routes would be available at all times. Foul water would be to the main sewer. The drainage strategy demonstrates that surface water would be dealt with appropriately by a SuDS scheme. Surface water would be dealt with in accordance with national planning guidance to a surface water body.
- 7.49 Therefore, subject to conditions, the application does demonstrate that the development can be accommodated on site in accordance with policies S1 and PD8.

Transport and Impact on Highway Safety

- 7.50 Policies S1, S4 r) and HC19 require development proposals to demonstrate that they can be safely accessed in a sustainable manner. Proposals should minimise the need to travel, particularly by unsustainable modes of transport and help deliver the priorities of the Derbyshire Local Transport Plan. Neighbourhood Plan Policy NP 19 provides more detailed criteria for provision for pedestrians and cyclists within the area.
- 7.51 The application is supported by a Transport Statement (TS) and Travel Plan (TP). The TS concludes that there are multiple pedestrian access options from different sections of the public highway. The TS also demonstrates that places as far away as Matlock and Carsington are accessible by bicycle. The site also benefits from being close to a number of public transport options on Porter Lane and Steeple Grange and the site is 3.3km from Cromford station.
- 7.52 The TS states that the development would result in an increase of 45 vehicles in the AM peak and 55 in the PM peak. However, in reality levels will be lower due to car sharing and use of other modes of transport. This level of additional traffic is considered to be low and would not result in a severe impact upon the road network.
- 7.53 The development would result in an increase from 48 parking spaces to 97 with additional spaces for disabled people, electric car charging points and cycle storage. The application also proposes to improve the pedestrian route from the NSC to the bus stops at Porter Lane. Given the narrow nature of the tunnel under the HPT it is proposed that emergency / construction access will be via the Ravenstor Road access to the south which would be cleared and widened to suit.
- 7.54 The Highway Authority have been consulted and consider that the proposed level of car parking is appropriate. The site also has strong sustainable access by foot, cycle and public transport. The development would be served by a safe access and would not result in an unacceptable impact upon the highway network. If permission is granted the Highway Authority recommend that planning conditions are imposed to secure details in regard to public rights of way, any signal arrangements under the HPT tunnel, bus stop improvements and pedestrian link. Revisions to the submitted TP are also recommended and these can be secured by planning condition. Funding for monitoring of the TP (a financial contribution of £3,750) can be secured by planning obligation.

- 7.55 Having visited the site and had regard to the submitted TS, representations and consultation response from the Highway Authority, the application has demonstrated safe access and that the development would not harm highway safety in accordance with policies S4 r), HC19 and NP 19.

Impact on amenity of neighbouring properties

- 7.56 The nearest neighbouring properties include the Derbyshire Eco Centre and Mount Cook Adventure Centre to the north. The nearest residential properties are beyond the former quarry to the North West and west.
- 7.57 The development would result in the erection of a larger discovery centre on the site along with the associated increases in activity at the NSC, vehicle movements and parking. However, given the distance to neighbouring properties the development would not be overbearing or result in any loss of privacy or light. The development would also be a sufficient distance from neighbouring properties where noise from vehicles, visitors and events would not result in any significant noise.
- 7.58 Therefore, subject to conditions the development could be accommodated on site without significant harm to the amenity of neighbouring properties in accordance with policies S1 and PD1.

Conclusion

- 7.59 The proposed replacement discovery centre would be of an appropriate size and scale and located in a sustainable and accessible location within close proximity to Wirksworth. The proposed development would be a high standard of contemporary design which would mitigate the impacts of climate change, conserve and enhance the site, the Conservation Area and other affected heritage assets while enhancing public access, enjoyment and education of geodiversity and biodiversity interests and cultural heritage at the National Stone Centre.
- 7.60 The application has demonstrated that the development can be accommodated on the site without harm to landscape character or the character and appearance of the area and that, subject to planning conditions, the development would enhance cultural heritage and biodiversity and conserve geodiversity interests. The development would not harm protected species or their habitat. The development would have safe and sustainable access and would not harm the amenity of neighbouring properties and satisfactory drainage provision can be secured by planning conditions.
- 7.61 The proposed development is therefore in accordance with relevant policies in the Adopted Derbyshire Dales Local Plan (2017) and the Adopted Wirksworth Neighbourhood Plan (2015). In the absence of any other material considerations the application is therefore recommended for approval.

8.0 RECOMMENDATION

Approve subject to prior entry into planning obligation to secure funding for monitoring of travel plan and subject to the following conditions:

CONDITION(S):

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 and subject to the following conditions:

1209/P03 Rev A – Drainage Strategy
1209/P04 Rev B – Site Plan
1209/P05 Rev A – Level 0
1209/P06 Rev A – Level 1
1209/P07 Rev A – Level 2
1209/P08 Rev A – Level Roof
1209/P09 Rev A – Proposed Sections
1209/P11 Rev A – Landscaping
1209/P11 Rev A – Proposed Sections
1209/P12 Rev A – Elevations
1209/P13 Rev A – Elevations
1209/P14 Rev A – Elevations

Reason:

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

3. No development shall commence until details of proposed finished flood levels and ground levels throughout the site have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

Reason:

To minimise the impact of the development upon the site and the wider landscape and in the interests of the proper planning of the area.

These details go to the heart of the planning permission and are required before the commencement of any development.

4. No development shall commence (including demolition, ground works, and vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP shall include the following.

a) Risk assessment of potentially damaging construction activities;

b) Identification of "biodiversity protection zones";



d) The location and timing of sensitive works to avoid harm to biodiversity features;

e) The times during construction when specialist ecologists need to be present on site to oversee works;

f) Responsible persons and lines of communication;

g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person; and

h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless first agreed in writing by the Local Planning Authority.

Reason:

In order to safeguard protected and/or priority species from undue disturbance and impacts, noting that initial preparatory works could have unacceptable impacts; and in order to secure an overall biodiversity gain in accordance with Policy PD3 of the Adopted Derbyshire Dales Local Plan (2017).

These details go to the heart of the planning permission and are required before the commencement of any development.

5. No development shall commence (including demolition, ground works, and vegetation clearance) until a Landscape and Biodiversity Enhancement and Management Plan (LBEMP) has been submitted to and approved in writing by the Local Planning Authority. The aim of the LBEMP is to enhance and sympathetically manage the biodiversity value of onsite habitats, in line with the proposals reflected in the submitted Biodiversity Net Gain Assessment and Biodiversity Metric and to achieve no less than a +10 % net gain. The LBEMP should combine both the ecology and landscape disciplines and shall be suitable to provide to the management body responsible for the site. It shall include the following:

- a) Description and location of features to be retained, created, enhanced and managed, as per the approved biodiversity metric;
- b) Aims and objectives of management, in line with desired habitat conditions detailed in the metric;
- c) Appropriate management methods and practices to achieve aims and objectives.
- d) Prescriptions for management actions;
- e) Preparation of a work schedule (including a 30-year work plan capable of being rolled forward in perpetuity);
- f) Details of the body or organization responsible for implementation of the plan;
- g) A monitoring schedule to assess the success of the habitat creation and enhancement measures;
- h) A set of remedial measures to be applied if conservation aims and objectives of the plan are not being met;
- i) Detailed habitat enhancements for wildlife, in line with British Standard 42021:2022 and the recommendations in Section 6 of the submitted Ecological Appraisal (baker consultants, October 2022); and
- l) Requirement for a statement of compliance upon completion of planting and enhancement works.

The LBEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The approved plan will be implemented in accordance with the approved details.

Reason:

In order to safeguard protected and/or priority species from undue disturbance and impacts, noting that initial preparatory works could have unacceptable impacts; and in order to secure an overall biodiversity gain in accordance with Policy PD3 of the Adopted Derbyshire Dales Local Plan (2017).

These details go to the heart of the planning permission and are required before the commencement of any development.

6. No development shall commence until a Geological Management Plan (GMP) has been submitted to and approved in writing by the Local Planning Authority. It shall include the following:
- a) Maintenance of the geological exposures;
 - b) The provision of safe access for inspection, examination and where appropriate collection of geological material as well as interpretation; and
 - c) Management of trees and obscuring vegetation on a periodic basis.

The GMP shall also include details of the legal and funding mechanism(s) by which the long term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The approved plan will be implemented in accordance with the approved details.

Reason:

In order conserve and enhance geological features in accordance with Policy PD3 of the Adopted Derbyshire Dales Local Plan (2017).

These details go to the heart of the planning permission and are required before the commencement of any development.

7. No development shall commence (including demolition, ground works, and vegetation clearance) until an Arboricultural Impact Assessment (AIA) to BS 5837 (2012) and Arboricultural Method Statement (AMS) have been submitted to and approved in writing by the Local Planning Authority. The AIA shall include the following:
- a) Tree schedule to include all trees within 15m of the application site;
 - b) Tree constraints plan based on the existing layout of the site;
 - c) Tree retention and removals plan based on the proposed layout of the site; and
 - d) Tree protection plan based on the proposed layout plan with specification for temporary tree protection fencing and / or temporary ground protection.

The development shall be carried out in accordance with the approved details.

Reason:

In order conserve trees on and in close proximity to the site in accordance with Policy PD6 of the Adopted Derbyshire Dales Local Plan (2017).

These details go to the heart of the planning permission and are required before the commencement of any development.

8. No development shall commence (including demolition, ground works, and vegetation clearance) until a Construction Method Statement comprehensively detailing the phasing and logistics of demolition/construction has been submitted to and approved in writing by the Local Planning Authority. The method statement shall include, but not be limited to:
- a) Construction traffic routes, including provision for access to the site
 - b) Entrance/exit from the site for visitors/contractors/deliveries
 - c) Location of directional signage within the site
 - d) Siting of temporary containers
 - e) Parking for contractors, site operatives and visitors
 - f) Identification of working space and extent of areas to be temporarily enclosed and secured during each phase of construction

- g) Temporary roads/areas of hard standing
- h) Schedule for large vehicles delivering/exporting materials to and from site
- i) Storage of materials and large/heavy vehicles/machinery on site
- j) Measures to control noise and dust
- k) Details of street sweeping/street cleansing / wheel wash facilities
- l) Details for the recycling/disposing of waste resulting from demolition and construction works
- m) Hours of working, and
- n) Phasing of works including start/finish dates.

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

Reason:

In the interests of highway and pedestrian safety in accordance with Policy HC19 of the Adopted Derbyshire Dales Local Plan (2017).

These details go to the heart of the planning permission and are required before the commencement of any development.

9. Notwithstanding the approved plans, no development shall commence until a Management Plan for the Public Rights of Way on the site has been submitted to and approved in writing by the Local Planning Authority. The management plan statement shall include:

- a) Management of public rights of way during the construction period; and
- b) Retention of all public rights of way on their lawful position and alignment and incorporation into the development.

The development shall not be carried out other than in accordance with the approved Management Plan.

Reason:

In the interests of highway and pedestrian safety in accordance with Policy HC19 of the Adopted Derbyshire Dales Local Plan (2017).

These details go to the heart of the planning permission and are required before the commencement of any development.

10. No development shall commence until a detailed design and associated management and maintenance plan of the surface water drainage for the site, in accordance with the principles outlined within:

- a) Flood Risk Assessment report prepared by Rodgers Leask Ltd (RLRE) Reference 22235-RLL-22-XX-C-001 Rev PO1, dated 14.10.2022 (including any subsequent amendments or updates to those documents as approved by the Flood Risk Management Team);
- b) Drainage Strategy Plan - Drawing No. 1209/PO3 Rev A, dated 01.08.22 (including any subsequent amendments or updates to those documents as approved by the Flood Risk Management Team); and
- c) DEFRA's Non-statutory technical standards for sustainable drainage systems (March 2015)

have been submitted to and approved in writing by the Local Planning Authority.

The development shall not be carried out other than in accordance with the approved details.

Reason:

To ensure that the proposed development does not increase flood risk and that the principles of sustainable drainage are incorporated into this proposal, and sufficient detail of the construction, operation and maintenance/management of the sustainable drainage systems are provided to the Local Planning Authority prior to the commencement of the development in accordance with Policy PD8 of the Adopted Derbyshire Dales Local Plan (2017).

These details go to the heart of the planning permission and are required before the commencement of any development.

11. No development shall commence until a detailed assessment has been submitted to and approved in writing by the Local Planning Authority, to demonstrate that the proposed destination for surface water accords with the drainage hierarchy as set out in paragraph 8 reference ID: 7-080-20150323 of the National Planning Practice Guidance. The development shall not be carried out other than in accordance with the approved details.

Reason:

To ensure that surface water from the development is directed towards the most appropriate waterbody in terms of flood risk and practicality by utilising the highest possible priority destination on the hierarchy of drainage options. And to ensure that development will be safe from flood risk including from groundwater and natural springs in accordance with Policy PD8 of the Adopted Derbyshire Dales Local Plan (2017).

These details go to the heart of the planning permission and are required before the commencement of any development.

12. No development shall commence until details indicating how additional surface water run-off from the site will be avoided during the construction phase have been submitted to and approved in writing by the Local Planning Authority. The applicant may be required to provide collection, balancing and/or settlement systems for these flows. The approved system shall be operating to the satisfaction of the Local Planning Authority, before the commencement of any works, which would lead to increased surface water run-off from site during the construction phase.

Reason:

To ensure surface water is managed appropriately during the construction phase of the development, so as not to increase the flood risk to adjacent land/properties or occupied properties within the development in accordance with Policy PD8 of the Adopted Derbyshire Dales Local Plan (2017).

These details go to the heart of the planning permission and are required before the commencement of any development.

13. No attenuation pond shall be brought into use until such a time as it has been constructed in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority. Any pond shall be designed and constructed in accordance with CIRIA SuDS manual C753 and an associated management and maintenance plan.

Reason:

To ensure that any attenuation pond does not increase flood risk, that the principles of sustainable drainage are incorporated into the proposal, the system is operational prior to first use and that maintenance and management of the sustainable drainage systems is secured for the future in accordance with Policy PD8 of the Adopted Derbyshire Dales Local Plan (2017).

14. Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority. This must demonstrate that the drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls).

Reason:

To ensure that the drainage system is constructed to the national non-statutory technical standards for sustainable drainage and CIRIA standards C753 in accordance with Policy PD8 of the Adopted Derbyshire Dales Local Plan (2017).

15. The development hereby approved shall not be occupied until the proposed signal scheme located surrounding the bridge carrying the High Peak Trail has been implemented in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority. The signal scheme shall thereafter be maintained throughout the lifetime of the development hereby approved.

Reason:

In the interests of highway and pedestrian safety in accordance with Policy HC19 of the Adopted Derbyshire Dales Local Plan (2017).

16. The development hereby approved shall not be occupied until a scheme of bus stop improvements and associated footway connections to Porter Lane have been implemented in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall thereafter be maintained throughout the lifetime of the development hereby approved.

Reason:

In the interests of highway and pedestrian safety in accordance with Policy HC19 of the Adopted Derbyshire Dales Local Plan (2017).

17. Notwithstanding the submitted Travel Plan, the development hereby approved shall not be occupied until a revised Travel Plan (that promotes sustainable forms of access to the development site) has been submitted to and approved in writing by the Local Planning Authority. The approved Travel Plan shall thereafter be implemented and updated throughout the lifetime of the development hereby approved.

Reason:

To reduce vehicle movements and promote sustainable access in accordance with Policy HC19 of the Adopted Derbyshire Dales Local Plan (2017).

18. The development hereby approved shall not be occupied until the proposed parking and turning spaces have been laid out and constructed in accordance with the approved plans or an alternative scheme which shall have first been submitted to and approved in writing by the Local Planning Authority. Thereafter all parking and turning facilities will remain available for their designated use throughout the lifetime of the development hereby approved.

Reason:

To ensure adequate parking provision and in the interests of highway safety in accordance with Policy HC19 and HC21 of the Adopted Derbyshire Dales Local Plan (2017).

19. Notwithstanding the approved plans, secure cycle storage facilities shall be provided before the first occupation of the development in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority. Thereafter the facilities shall be retained for their designated use throughout the lifetime of the development hereby approved.

Reason:

To ensure adequate cycle storage provision and in the interests of highway safety in accordance with Policy HC19 and HC21 of the Adopted Derbyshire Dales Local Plan (2017).

20. Notwithstanding the approved plans, a scheme of hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority before the completion or first occupation of the development, the details of which shall include:

- a) soil preparation, cultivation and improvement;
- b) all plant and tree species, planting sizes, planting densities, the number of each species to be planted and plant protection;
- c) grass seed mixes and sowing rates (for the site and the proposed green roofs);
- d) walls, fences and means of enclosure;
- e) pedestrian access and circulation areas;
- f) hard surfacing materials;
- g) minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units);
- h) proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);

Reason:

To ensure a satisfactory landscaped setting for the development, adequate play provision and the protection of existing important landscape features in accordance with policy PD5 of the Adopted Derbyshire Dales Local Plan (2017).

21. All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of any dwelling or the completion of the development (whichever is 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 landscaped setting for the development and the protection of existing important landscape features in accordance with policy PD5 of the Adopted Derbyshire Dales Local Plan (2017).

22. No external lighting shall be installed other than in accordance with a detailed scheme which shall have first been submitted to and approved in writing by the Local Planning Authority.

Reason:

In the interests of the character and appearance of the development and to minimise impacts upon protected species in accordance with policy PD5 of the Adopted Derbyshire Dales Local Plan (2017).

23. Prior to the construction of the superstructure of the development hereby approved a detailed scheme of measures to mitigate the effects of and adapt to climate change at the site (based upon the submitted Climate Change Statement) along with a timetable for implementation shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and the approved measure shall be maintained throughout the lifetime of the development hereby approved.

Reason:

To ensure the implementation of the proposed measures to mitigate the effects of and adapt to climate change in accordance with policy PD7 of the Adopted Derbyshire Dales Local Plan (2017).

24. Samples of all materials to be used in the construction of the external surfaces of the proposed development shall be submitted to and approved in writing by the Local Planning Authority before any work to any external surface is carried out. The development shall thereafter be constructed in accordance with the approved details.

Reason:

To ensure a satisfactory external appearance of the development in accordance with policy PD1 and PD2 of the Adopted Derbyshire Dales Local Plan (2017).

25. Details of the stone origin, type and proposed surface finish for the external surfaces of the proposed development shall be submitted, in sample form, to the Local Planning Authority and approved in writing before works begin on the stonework to the external surfaces. The development shall thereafter be constructed in accordance with the approved details.

Reason:

To ensure the use of appropriate materials in the interests of preserving visual amenity in accordance with policy PD1 and PD2 of the Adopted Derbyshire Dales Local Plan (2017).

26. Concurrently with the submission of a sample of the walling materials, a 2 square metre sample panel of those materials and type of pointing (mortar mix and method of application) to be used shall be erected on site for inspection and approval by the Local Planning Authority before works begin on the stonework to the external surfaces. The

development shall thereafter not be carried out other than in accordance with the approved details.

Reason:

To assist in the selection of appropriate materials in the interests of preserving visual amenity in accordance with policy PD1 and PD2 of the Adopted Derbyshire Dales Local Plan (2017).

27. The existing discovery centre shall be demolished and completely removed from the site within 3 months of either the completion or first occupation of the development hereby approved.

Reason:

To ensure that the existing discovery centre is removed to facilitate the comprehensive re-development of the site and in the interests of the character and appearance of the area.

9.0 NOTES TO APPLICANT:

This planning permission shall be read in conjunction with the accompanying legal agreement under Section 106 of the Town and Country Planning Act 1990 dated XX.XX.2023.

The Local Planning Authority has provided pre-application advice and discussed the application with the applicant during the course of the application. Additional supporting information has been submitted to resolve any issues and the application has been brought to the earliest possible planning committee meeting for determination.

The Town and Country Planning (Fees for Applications, Deemed Applications and Site Visits) (England) Regulations 2012 as amended stipulate that a fee will henceforth be payable where a written request is received in accordance with Article 27 of the Development Management Procedure Order 2015 for the discharge of conditions attached to any planning permission. Where written confirmation is required that one or more conditions imposed on the same permission have been complied with, the fee chargeable by the Authority is £34 per householder request and £116 per request in any other case. The fee must be paid when the request is made and cannot be required retrospectively.

Advisory/Informative Notes (It should be noted that the information detailed below (where applicable), will be required as an absolute minimum in order to discharge any of the drainage conditions set by the LPA):

- A. The County Council does not adopt any SuDS schemes at present (although may consider ones which are served by highway drainage only). As such, it should be confirmed prior to commencement of works who will be responsible for SuDS maintenance/management once the development is completed.
- B. Any works in or nearby an ordinary watercourse may require consent under the Land Drainage Act (1991) from the County Council. For further advice, or to make an application please contact Flood.Team@derbyshire.gov.uk.
- C. No part of the proposed development shall be constructed within 5-8m of an ordinary watercourse and a minimum 3 m for a culverted watercourse (increases with size of culvert). It should be noted that DCC have an anti-culverting policy.

- D. The applicant should be mindful to obtain all the relevant information pertaining to proposed discharge in land that is not within their control, which is fundamental to allow the drainage of the proposed development site.
- E. The applicant should demonstrate, to the satisfaction of the Local Planning Authority, the appropriate level of treatment stages from the resultant surface water discharge, in line with Table 4.3 of the CIRIA SuDS Manual C753.
- F. The County Council would prefer the applicant to utilise existing landform to manage surface water in mini/sub-catchments. The applicant is advised to contact the County Council's Flood Risk Management team should any guidance on the drainage strategy for the proposed development be required.
- G. The applicant should provide a flood evacuation plan which outlines:
- The flood warning procedure
 - A safe point of extraction
 - How users can safely evacuate the site upon receipt of a flood warning
 - The areas of responsibility for those participating in the plan
 - The procedures for implementing the plan
 - How users will be made aware of flood risk
 - How users will be made aware of flood resilience
 - Who will be responsible for the update of the flood evacuation plan
- H. Flood resilience should be duly considered in the design of the new building(s) or renovation. Guidance may be found in BRE Digest 532 Parts 1 and 2, 2012 and BRE Good Building Guide 84.
- I. Surface water drainage plans should include the following:
- Rainwater pipes, gullies and drainage channels including cover levels.
 - Inspection chambers, manholes and silt traps including cover and invert levels.
 - Pipe sizes, pipe materials, gradients, flow directions and pipe numbers.
 - Soakaways, including size and material.
 - Typical inspection chamber / soakaway / silt trap and SW attenuation details.
 - Site ground levels and finished floor levels.
- J. On Site Surface Water Management;
- The site is required to accommodate rainfall volumes up to the 1% probability annual rainfall event (plus climate change) whilst ensuring no flooding to buildings or adjacent land.
 - The applicant will need to provide details and calculations including any below ground storage, overflow paths (flood routes), surface detention and infiltration areas, etc, to demonstrate how the 30 year + 35% climate change and 100 year + 40% Climate Change rainfall volumes will be controlled and accommodated. In addition, an appropriate allowance should be made for urban creep throughout the lifetime of the development as per 'BS 8582:2013 Code of Practice for Surface Water Management for Developed Sites' (to be agreed with the LLFA).
 - Production of a plan showing above ground flood pathways (where relevant) for events in excess of the 1% probability annual rainfall event, to ensure exceedance routes can be safely managed.

- A plan detailing the impermeable area attributed to each drainage asset (pipes, swales, etc), attenuation basins/balancing ponds are to be treated as an impermeable area. Peak Flow Control

- For greenfield developments, the peak run-off rate from the development to any highway drain, sewer or surface water body for the 1 in 1 year rainfall event and the 1 in 100 year rainfall event, should never exceed the peak greenfield run-off rate for the same event.

- For developments which were previously developed, the peak run-off rate from the development to any drain, sewer or surface water body for the 100% probability annual rainfall event and the 1% probability annual rainfall event must be as close as reasonably practicable to the greenfield run-off rate from the development for the same rainfall event but should never exceed the rate of discharge from the development, prior to redevelopment for that event.

Volume Control

- For greenfield developments, the runoff volume from the development to any highway drain, sewer or surface water body in the 6 hour 1% probability annual rainfall event must not exceed the greenfield runoff volume for the same event.

- For developments which have been previously developed, the runoff volume from the development to any highway drain, sewer or surface water body in the 6 hour 1% probability annual rainfall event must be constrained to a value as close as is reasonably practicable to the greenfield runoff volume for the same event, but must not exceed the runoff volume for the development site prior to redevelopment for that event.

Note:- If the greenfield run-off for a site is calculated at less than 2 l/s, then a minimum of 2 l/s could be used (subject to approval from the LLFA).

- Details of how the on-site surface water drainage systems shall be maintained and managed after completion and for the lifetime of the development to ensure the features remain functional.

- Where cellular storage is proposed and is within areas where it may be susceptible to damage by excavation by other utility contractors, warning signage should be provided to inform of its presence. Cellular storage and infiltration systems should not be positioned within the highway.

- Guidance on flood pathways can be found in BS EN 752.

- The Greenfield runoff rate which is to be used for assessing the requirements for limiting discharge flow rates and attenuation storage for a site should be calculated for the whole development area (paved and pervious surfaces - houses, gardens, roads, and other open space) that is within the area served by the drainage network, whatever the size of the site and type of drainage system. Significant green areas such as recreation parks, general public open space, etc., which are not served by the drainage system and do not play a part in the runoff management for the site, and which can be assumed to have a runoff response which is similar to that prior to the development taking place, may be excluded from the greenfield analysis.

K. If infiltration systems are to be used for surface water disposal, the following information must be provided:

- Ground percolation tests to BRE 365.

- Ground water levels records. Minimum 1m clearance from maximum seasonal groundwater level to base of infiltration compound. This should include assessment of relevant groundwater borehole records, maps and on-site monitoring in wells.
- Soil / rock descriptions in accordance with BS EN ISO 14688-1:2002 or BS EN ISO 14689-1:2003.
- Volume design calculations to 1% probability annual rainfall event + 40% climate change standard. An appropriate factor of safety should be applied to the design in accordance with CIRIA C753 – Table 25.2.
- Location plans indicating position (soakaways serving more than one property must be located in an accessible position for maintenance). Soakaways should not be used within 5m of buildings or the highway or any other structure.
- Drawing details including sizes and material.
- Details of a sedimentation chamber (silt trap) upstream of the inlet should be included. Soakaway detailed design guidance is given in CIRIA Report 753, CIRIA Report 156 and BRE Digest 365.

L. All Micro Drainage calculations and results must be submitted in .MDX format, to the LPA. (Other methods of drainage calculations are acceptable.)

M. The applicant should submit a comprehensive management plan detailing how surface water shall be managed on site during the construction phase of the development ensuring there is no increase in flood risk off site or to occupied buildings within the development.

N. The applicant should manage construction activities in line with the CIRIA Guidance on the Construction of SuDS Manual C768, to ensure that the effectiveness of proposed SuDS features is not compromised.

Rights Of Way

- The footpaths and restricted byway must remain open, unobstructed and on their legal alignments. Where the used route on the ground differs from the legal line, these routes must also remain open and unobstructed until such time that the legal lines can be walked, and it can be established that the used routes have not also acquired rights.
- There should be no disturbance to the path surfaces without prior authorisation of the Rights of Way Section.
- Consideration should be given to the safety of members of the public using the paths during the works. A temporary closure of the paths will be permitted on application to DCC where the path(s) remain unaffected on completion of the development.
- There should be no encroachment of the paths, and no fencing should be installed without consulting the Rights of Way Section.

This decision relates solely to the application form and the following plans and documents:

1209/P02 Rev A - Existing Survey
 1209/P03 Rev A – Drainage Strategy
 1209/P04 Rev B – Site Plan
 1209/P05 Rev A – Level 0
 1209/P06 Rev A – Level 1
 1209/P07 Rev A – Level 2
 1209/P08 Rev A – Level Roof

1209/P09 Rev A – Proposed Sections
1209/P11 Rev A – Landscaping
1209/P11 Rev A – Proposed Sections
1209/P12 Rev A – Elevations
1209/P13 Rev A – Elevations
1209/P14 Rev A – Elevations

Application form

1209/P15 Rev A - Sketches

1209/P16 Rev A - Sketches

1209/P17 Rev A – Sketches

Arboricultural Report October 2022

Assessment of Proposed Development Impact on Nether Ratchwood and Rantor Lead
Mines Scheduled Monument

Biodiversity Net Gain Assessment February 2023

Biodiversity Net Gain Matrix

Climate Change Statement

Design, Access, Heritage and Planning Statement October 2022

Ecological Appraisal October 2022

Flood Risk Assessment – P22-325 Rev P01

Geodiversity Statement October 2022

Landscape and Visual Impact Appraisal – 4322 V1

National Stone Centre Reptile Survey 2022 – Derbyshire Wildlife Trust

Transport Statement – P22-325 Rev P02

Travel Plan – P22-325 Rev P01