

<b>APPLICATION NUMBER</b>		22/01371/FUL	
<b>SITE ADDRESS:</b>		Hall Dale Quarry, Snitterton Road, Snitterton, Matlock	
<b>DESCRIPTION OF DEVELOPMENT</b>		Mixed use development comprising of 24no. dwellinghouses and 1535m <sup>2</sup> of commercial (Use Class E) floorspace	
<b>CASE OFFICER</b>	Mr Chris Whitmore	<b>APPLICANT</b>	Mr Adam Cavell, (4M Property Partners)
<b>PARISH/TOWN</b>	Matlock	<b>AGENT</b>	Brick Architects Ltd
<b>WARD MEMBER(S)</b>	Cllr. M. Burfoot Cllr S. Burfoot Cllr S. Wain	<b>DETERMINATION TARGET</b>	23 <sup>rd</sup> May 2023 (EOT agreed until 13 <sup>th</sup> October 2023)
<b>REASON FOR DETERMINATION BY COMMITTEE</b>	Major application	<b>REASON FOR SITE VISIT (IF APPLICABLE)</b>	At the request of Officers to enable Members to fully assess the impact of the development on the environment

## MATERIAL PLANNING ISSUES

- Policy context;
- The appropriateness of the layout, scale and appearance of the development and associated landscaping;
- The impact on the local landscape and setting of the Peak District National Park Authority;
- Highway safety and traffic impacts and connectivity to the town / services and facilities;
- Viability, affordable housing provision, housing mix and developer contributions;
- The impact of the development on the residential amenity of the occupants of existing dwellings and future residents;
- Open space and recreation provision;
- Impact on protected sites, wildlife and ecology;
- Surface water drainage;
- Climate change, and;
- Planning balance and conclusion

## RECOMMENDATION

That authority be delegated to officers to grant planning permission, subject to conditions and following the completion of a linking agreement or deed of variation to tie the development to the terms of the s106 agreement secured in respect of outline permission 14/00541/OUT and to secure the long term delivery of biodiversity net gain.

## 1. THE SITE AND SURROUNDINGS

- 1.1 The application site forms part of an extensive former limestone quarry (approximately 25.1 hectares) situated in an elevated position approximately 0.89 km to the south-west of Matlock town centre. The site occupies a prominent position against the wider backdrop of Masson Hill and is accessed at grade via Snitterton Road, close to the new junction with Matlock Spa Road. Snitterton Road runs along the northern boundary of the site with Salters Lane to the South. A number of residential properties border the site including White House, Gordon Lodge, Gordon Lodge Barn and Coach House on Snitterton Road to the northeast; Greenacres off Salters Lane to the South; Old Masson Farm to the west and Masson Farm and associated properties immediately to the northwest.
- 1.2 Hall Dale Quarry has been driven into the Masson hillside from the north, the main consequence of which is that the highest and steepest quarry faces are on its southern and south eastern sides. Three limestone faces rise vertically in three distinct lifts from the quarry floor which occupies an extensive area in the central / north western portion of the site. On its western and south western sides, quarry waste tipped against the rock face has created a long, steep, undulating slope which rises from the quarry floor to the quarry edge.
- 1.3 On the northern and western sides, long bunds of material are well vegetated with belts of trees and shrubs which provide effective screening of the quarry floor in views from the north and west. Extensive areas of mixed vegetation also occupy parts of the western and south western quarry slopes, again helping to screen views from these sides and are prominent within views of the higher parts of the quarry from the north.
- 1.4 Along the southern boundary with Salters Lane, vegetated bunds and mature roadside hedgerows effectively screen views of the quarry from the lane and in middle to long distance views from the site. However, due to its prominent hillside location, there are extensive views of the site from a number of local vantage points including Matlock Bank and Upper Hackney.
- 1.5 Major quarrying operations ceased at the site over 20 years ago. Since then, naturalisation and ecological succession of overburden bunds and quarry spoil has enabled flora and fauna habitats to establish on the site generating scrub vegetation and extensive areas of grassland. The quarry itself is characterised by bare rock and tipped / stockpiled limestone blocks.
- 1.5 The quarry faces comprise the extent of a Regionally Important Geological Site designation, protected under Policy PD3 of the Adopted Derbyshire Dales Local Plan (2017) and the site is approximately 600m north-west of the Peak District Dales Special Area of Conservation (Matlock Woods), 200m north of Masson Hill SSSI and is adjacent to the south of Cawdor Quarry SSSI.
- 1.6 The application site is located within the defined Settlement Framework of Matlock and extends to 4.8ha around the periphery of the quarry. The site and the wider quarry is formally allocated for housing development (220 dwellings) and 2ha of employment land under policies HC2(v) and EC2(e) of the Adopted Derbyshire Dales Local Plan (2017). Strategic land allocation policy DS5 also sets parameters for the development of the site.



## 2. DETAILS OF THE APPLICATION

- 2.1. This application follows the grant of outline planning permission code ref. 14/00541/OUT which gave outline planning permission for mixed residential and commercial development comprising of 220 dwellings, 400m<sup>2</sup> of A3 floorspace (Restaurant and Café), and 6400m<sup>2</sup> of B1 floorspace in 2017 and has been submitted in parallel to a subsequent application for approval of reserved matters on the site under planning application code ref. 20/00380/REM. It seeks full planning permission for development that sits outside of the scope of the outline permission. In particular, this seeks full planning permission for mixed use development comprising of 24no. dwellinghouses and 1535m<sup>2</sup> of commercial (Use Class E) floorspace.
- 2.2 The site covers an area of 4.8 ha around the outer edge of the wider quarry site. The commercial floorspace will be contained within a series of buildings, with an irregular plan form and asymmetric roofs known as the cabins at the south-eastern end of the quarry, in front of a quarry face and a single storey workshop style building at the site entrance, which will be of traditional appearance faced in stone and slate. The cabin buildings are shown to be clad in a mixture of stone and vertical timber boarding, with feature windows and chimneys. The application includes plot 149 at the eastern end of the quarry, which is a substantial contemporary dwelling in a large plot with swimming pool.
- 2.3 This application also includes plots 22 – 25, 203-209 and 213 – 220 at the site entrance and forming a continuation of the transition dwellings (of traditional form with contemporary detailing) off an estate road forming part of the parallel approval of reserved matters application at the western side of the quarry. The application also includes plots 12 and 137 – 140 at the northern end of the quarry. The dwelling on plot 12 is of traditional design, located close to the central heart of the development. The dwellings on plots 137-140 and 218-220 are of contemporary design, which respond to challenging levels.

2.4 The commercial (Use Class E) will cover an area of 0.9ha. The mix of housing proposed as part of this full application is as follows:

No. of bedrooms	No. of dwellings
3	17
4	7

2.5 In addition to the Design and Access Statement and details planning drawings, the application is accompanied by the following documents:

- Technical Note 2, Traffic Generation
- Green Infrastructure Plan
- Landscape Strategy
- Habitat and Enhancement Strategy
- Waste Management Strategy
- Crime Prevention Statement
- Sustainability Statement
- Flood Risk Assessment
- BNG Report and Calculations
- S106 / viability note
- Tree Protection Method Statement

These documents have been made available for examination and comment and circulated to consultees and in the case of amended plans and documents re-consulted on. They are referred to, where necessary, and pertinent in the officer appraisal section of this report.

### 3. PLANNING POLICY AND LEGISLATIVE FRAMEWORK

#### 3.1 The Development Plan

##### Adopted Derbyshire Dales Local Plan (2017)

S1	Sustainable Development Principles
S3	Development within Defined Settlement Boundaries
S7	Matlock/Wirksworth/Darley Dale Development Strategy
S10	Local Infrastructure Provision and Developer Contributions
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
HC2(v)	Housing Land Allocations – Land at Halldale Quarry
HC4	Affordable Housing
HC11	Housing Mix and Type
HC14	Open Space, Sports and Recreation Facilities
HC15	Community Facilities and Services
HC18	Provision of Public Transport Facilities
HC19	Accessibility and Transport
HC20	Managing Travel Demand
HC21	Car Parking Standards
EC1	New Employment Development

EC6 Town and Local Centres  
DS5 Land at Halldale Quarry / Matlock Spa Road, Matlock

### 3.2 Other Material Considerations:

National Planning Policy Framework (2023)  
National Planning Practice Guidance  
National Design Guidance  
Climate Change Supplementary Planning Document (SPD) (2021)

## 4. **RELEVANT PLANNING HISTORY**

1195/0711	USE OF BUILDING FOR STORAGE/MAINTENANCE OF DRILLING EQUIPMENT	A	10/01/1996
02/07/0547	Variation of Condition 9: Stone lorry frequency (application code CM3/0602/36)	WDN	01/08/2002
10/00039/OUT	Redevelopment of site for mixed use development comprising Use Class B1 Office and Workshop Space, Use Class C2 CCRC/medical facility, Use Class C1 Hotel and Hiker's Hostel, car showrooms, cinema and internal leisure uses, ancillary Use Class A1 and A3 uses, car parking, landscaping and approximately 40 acres of managed ecological habitat	PERC	04/01/2011
14/00541/OUT	Mixed residential and commercial development comprising of 220 dwellings, 400m <sup>2</sup> of A3 floorspace (Restaurant and Café), and 6400m <sup>2</sup> of B1 floorspace	PERC	31/03/2017
14/00541/DCOND	Discharge of Conditions 4 and 5	DISFUL	26/02/2018
14/00541/DCOND/2	Discharge of condition(s) 10.1 and 10.2	DISFUL	13/11/2018
14/00541/DCOND/3	Discharge of condition 10.3 of application 14/00541/OUT - Mixed residential and commercial development comprising of 220 dwellings, 400m <sup>2</sup> of A3 floorspace (Restaurant and Café), and 6400m <sup>2</sup> of B1 floorspace	DISPAR	11/09/2019
20/00308/REM	Approval of reserved matters for the erection of 196no. dwellings, a cafe/restaurant (A3 Use) and 4no. Commercial Units (B1 Use) (outline planning application 14/00541/OUT)	PCO	

## 5. CONSULTATION RESPONSES

### 5.1 Matlock Town Council

Object.

As a Town Council we would like to raise some key concerns linked to Hall Dale Quarry development. Firstly, we are concerned with net biodiversity loss – disused Quarries are often fantastic areas of biodiversity and Hall Dale is a case in point. Please can this scheme be reviewed to deliver a minimum of 10% biodiversity gain. We are also concerned with the traffic implications of this development. Has realistic modelling been completed that takes into account the multiple developments in Matlock over recent years. We are concerned that the compound effect of multiple developments is not fully appreciated by the planners and without mitigations there will be a significant negative impact on the amenity of residents across Matlock. In particular we believe there needs to be mitigation put in place to anticipate the pinch point at the Sainsburys roundabout. We also have some concern that the design of the houses is not fully sympathetic to the Matlock built environment.

*Representations made in respect of the additional information provided:*

No comment.

### 5.2 South Darley Parish Council:

Object and make the following comments:

#### *1. Matlock Spa Road/Snitterton Road Layout*

The proposal shows Matlock Spa Road revised to sweep into the site, with Snitterton Road joining at a simple T-junction. This is shown in outline on Drawing E788-10A, Engineering Layout Sheet 1 of 4. However, this does not comply with Condition 24 of the outline planning permission, which requires "comprehensive detailed designs for the permanent access solution for the site" to be submitted and approved as part of a reserved matters application.

Furthermore, Derbyshire County Council's letter of 13th July 2016 commenting on the proposed development notes that: "It was also considered a priority road connection into the site may, with an appropriate design solution, deter traffic movements through Snitterton and Oker etc; this should remain a primary objective in any future detailed designs. Whilst a priority simple 'T' junction may in theory work, it may not be the best or optimum highway solution for access into this development."

The reserved matters submission does not take any of these points into consideration and should, therefore, be rejected in its current form. The developer should be required to design the revised road layout at the quarry entrance so that Snitterton Road joins at an acute angle, similar to the layout shown on the enclosed sketch. Also, he should be required to use his best endeavours to obtain a Traffic Regulation Order banning traffic from turning right out of Snitterton Road and left into the road.

#### *2. Traffic Flows on Snitterton Road*

Snitterton Road is a narrow country lane, only single-track in places, with many narrow blind bends and with houses very close to the road. There are no footways and the road cannot carry much traffic. Traffic counts by the County Council have shown that the Annual Average Daily Traffic on Snitterton Road increased by about 25% between 2006 and 2009. At some times of the day it increased by up to 48%; this was presumably due to the construction of Sainsbury's store.

The developer has estimated AM and PM peak hour traffic from the proposed Halldale Quarry development, calculating that only 4.5%, amounting to 9 to 11 vehicles in the peak hours, will use Snitterton Road to the west. However, I believe that this is an underestimate. The large increase in traffic flow following the opening of Sainsbury's shows that Snitterton Road is an attractive through route for many vehicles. The road will form a useful route for traffic from the quarry travelling to or from the West and North-west, so it is to be expected that the residents of Halldale Quarry would frequently use the road.

As traffic congestion increases in Matlock journey times on the A6 will increase considerably encouraging drivers to find alternative routes, such as Snitterton Road. This is already apparent as the traffic through Snitterton increases considerably whenever there is a hold-up on the main road. Thus, a significant extra volume of traffic can be expected to use Snitterton Road, especially during peak hours.

The new housing at Cawdor and Halldale Quarries will give rise not only to more motor vehicles but also more pedestrians and cyclists using Snitterton Road, making it all the more important to avoid increased traffic. Banning Halldale traffic from turning into and out of Snitterton Road would help to limit this extra traffic.

### *3. Further Mitigation on Snitterton Road*

At the meeting of the Central and Northern Area Planning Committee on 29<sup>th</sup> June 2010, it was resolved that grant of planning permission for the then proposed development of Halldale Quarry should be dependent on, among other things, a Section 106 agreement requiring the developer to pay for mitigation measures on Snitterton Road to reduce traffic flows. These measures would be triggered if the Annual Average Daily Traffic flows increased by about 35% above the 2009 figures (1,015 vehicles).

The Parish Council would urge that a suitable Section 106 agreement be drafted for the current proposals in order to implement this earlier resolution. Possible mitigation could take the form of narrowing the straighter lengths of Snitterton Road to single track with a footway and with intervisible passing places. Potential sites are between the quarry and Snitterton and between Oker and Kirby Lane.

#### *Comments on the amended scheme / additional information:*

Reiterate their earlier comments and make the following further comments:

#### *Lack of Affordable Housing*

The proposal for 220 houses on the site does not appear to include any requirement for affordable housing. The layout and house types are clearly aimed at the higher end of the market. This does not address the urgent need for more affordable housing in the district and is in clear contravention of the Adopted Derbyshire Dales Local Plan of December 2017.

Policy DS5 of the Local Plan requires "Provision of the required proportion of affordable housing and provision of an appropriate mix of housing types to meet the needs of the community." The proposal does not address this requirement, nor does it appear to meet a number of the other requirements of Policy DS5.

Development in clear contravention of the Local Plan should not be permitted.

#### *Matlock Spa Road/Snitterton Road Layout*

The proposed road layout at the entrance to the development would have detrimental effects on Snitterton Road through Snitterton and Oker.

### 5.3 Local Highway Authority (DCC):

#### *Initial Comments:*

It is noted that the principle of a mixed-use development on this site has already been established with an Outline planning application, although this current application is in part Full and therefore detailed. I would therefore like to comment on the lack of parking for the commercial element referred to as 'The Cabins' where there appears to be no allocated parking adjacent to the site, which does not comply with Council parking policy. This must be addressed in detail on the proposed layout drawing in accordance with car parking policy and revised accordingly.

*Further comments, following receipt of drawings showing a subterranean parking area to serve the cabins and confirmation that the estate roads will be private:*

We appreciate that the revised 'Travel Plan' has not been submitted as part of the current applications and on this basis, the Highway Authority would expect a condition to be imposed for a revised Travel Plan to be submitted prior to the buildings within the application site being occupied.

Regarding the detailed submission for the main access junction and highway realignment at Matlock Spa Road/Snitterton Road, it is worth noting that there is a Section 278 Highway agreement being processed at this time with the County Council for the highway access arrangements and the principle of the junction design is virtually agreed subject to sorting out the issue relating to surface water drainage. The overall design is still subject to 'technical approval'.

It is understood from the applicant/agent that the internal roads/footways etc. are to remain private/unadopted.

In summary, there are no objections to the applications from a traffic and highway point of view subject to conditions.

### 5.4 Peak District National Park Authority

Section 62 of the Environment Act 1995 requires local authorities to have regard to the purposes of a national park 'in exercising or performing any functions in relation to, or so as to affect, land in a National Park'. The purposes of a national park include the conservation and enhancement of natural beauty, wildlife and cultural heritage. The National Planning Policy Framework at paragraph 176 requires development in the setting of a national park to be sensitively located and designed to avoid or minimise adverse impacts'.

Although planning permission has already been granted for the site via outline permission ref 14/00541 and reserved matters ref 20/00308 for the approval of 196 dwellings, a cafe/restaurant and 4 Commercial Units, we note that this current application proposes additional development around the site. It is considered that the fringe landscape of the national park should be taken into account, particularly on the eastern side of the site, where some of the development is proposed.

PDNPA Core Strategy Policy L1: Landscape character and valued characteristics states that:

Development must conserve and enhance valued landscape character, as identified in the Landscape Strategy and Action Plan, and other valued characteristics.



The Peak District National Park Landscape Strategy describes this area of the White Peak as 'Limestone hills and slopes'. This area is characterised by high undulating, and in some places steeply sloping topography with wide, iconic open views to distant skylines. In places, notably on the steeper slopes and higher summits, large tracts of rough grazing land have survived. This landscape has also been heavily influenced in places by quarrying.

We would therefore recommend that a Landscape Visual Impact Assessment is undertaken, and the setting of the national park taken into account as per S62 of the Environment Act. We would then appreciate the opportunity to discuss the results of this, and any required landscaping.

## 5.5 Derbyshire Wildlife Trust:

We have reviewed the Updated Ecological Appraisal (Morph Ecological Consultants, February 2023) and Biodiversity Net Gain Calculations report (Morph Ecological Consultants, July 2023).

### *Habitats and Biodiversity Net Gain*

It appears that proposals will result in the loss of woodland, scrub, calcareous grassland and open habitats. These should be fully compensated for as part of proposals, in accordance with both the NPPF 2021 and Local Plan Policy PD3. However, there is an added layer of complexity to this application due to it overlapping with the proposals for the main quarry area.

All four areas were originally outside the initial main quarry application and were proposed to comprise habitat retained around the edges of the development. In particular, Area 4 was proposed as a key area to offset impacts of the main development through creation of calcareous grassland and open mosaic habitats and retention and enhancement of calcareous grassland. Area 2 was also proposed for woodland management, including glade creation to interface with calcareous grassland.

Consequently, the development of these areas would impact the previously agreed mitigation for the main quarry development and vastly reduce the scope to offset the impacts of this already permitted application.

A Biodiversity Net Gain assessment has been provided for this current application for the development of the four areas, however it includes habitat creation already proposed and agreed to as part of mitigation for the main quarry development. This does not comply with the principle of additionality set out in BNG guidance:

“Achieve nature conservation outcomes that demonstrably exceed existing obligations (i.e. do not deliver something that would occur anyway)”.

Whilst the report states that a covenant will be placed on all hedgerows as part of the application, we are still wary of including these as part of BNG proposals due to the risk of future removal of those used to create curtilage boundaries.

We also note that the four GCN mitigation ponds are counted in the net gain figures, despite guidance stating that habitat creation for species mitigation should be considered separately i.e. it fails the additionality principle if the ponds would have been created separately as a licensing requirement for GCN.

Two other points are that the habitat surveys were undertaken during winter, so confidence in the condition assessments is low (we do note that the report states a precautionary approach has been adopted when attributing condition for this reason). Also, the metric has

not been submitted so we cannot fully review the calculations and we cannot see if the trading rules have been met, which are a fundamental part of the metric.

### *Species*

Presence of GCN in the main quarry area was confirmed as part of the separate outline application and a licence obtained from Natural England. The existing GCN pond is still present within the main quarry area and whilst amphibian fencing has been installed under licence to separate the quarry from the new GCN mitigation ponds in the north-west, it has not been maintained. As such, there is potential for GCN movement across the site, including within the four areas that are the subject of this application. It will likely be necessary to undertake another period of trapping and translocation of GCN prior to any works in either these four areas or the main site. The fencing should be repaired at the earliest opportunity. We do not consider it necessary to request a further survey at this stage, prior to determination.

We advise that further clarity is provided with respect to roosting bats using the cliff faces. Roosts have previously been identified and the PEA makes general recommendations for further survey if lighting or stabilisation works are required. However, there is no map showing the faces with known roosts or suitable features, in relation to the current proposals. The likelihood of impacts is therefore not clear and greater confidence should be provided at this stage. We advise that these should be mapped and confirmation sought from the developer regarding likely stabilisation works and lighting requirements. Survey data is very old and if there is any doubt as to likely impacts to cliff faces, update survey should be undertaken.

Badgers are known to be present in the locality based on previous surveys and existing sett records, however no setts have been recorded in any of the four areas and no evidence no badgers was recorded during the 2023 survey visit. Best practice measures will be necessary to safeguard badgers during works.

Other best practice / precautionary measures can also be secured to safeguard nesting birds, reptiles and common amphibians. A Construction Environmental Method Statement could include all such measures and be secured via condition.

In conclusion, we currently have serious misgivings regarding this application, its impacts to biodiversity and the implications on the main quarry development delivering adequate mitigation. We advise that sufficient information is not available at this time to support an approval and further assessment and discussions should be undertaken with all parties prior to a decision being made.

*Following receipt of the above comments the applicant met DWT and submitted the following documents:*

- *Habitat Creation and Enhancement Summary - Revision 2,*
- *Biodiversity Net Gain Calculation report - Revision 4 and accompanying metric,*
- *Landscape Strategy (12.09.23), and*
- *Green Infrastructure Plan (13.09.23).*

*DWT commented on this information as follows:*

We previously highlighted concerns regarding the development of these four areas, especially Area 2 and Area 4. Clarification was provided in the meeting around the habitat proposals in these areas and updated plans provided, which are welcomed.

Whilst slightly atypical, the approach to BNG assessment is clearly explained and some elements have been removed from calculations, such as the GCN mitigation ponds.

Currently the metric predicts a net loss of -2.50 habitat units and trading rules are not met. The BNG report makes the case for the large addition of onsite hedgerows to offset the loss of habitat units, however metric guidance states that habitat, hedgerow and river units should all be considered separately and a gain achieved in each with trading rules satisfied (See most up to date metric User Guide, Section 3, <https://publications.naturalengland.org.uk/publication/6049804846366720>).

To comply with local and national policy, a net gain should be demonstrated in line with current BNG guidance. This could be addressed by either revision of the scheme landscaping or through a contribution based on the units lost.

Given that our main concern at this site (considering the quarry development as a whole) is the loss of high distinctiveness calcareous grassland and open mosaic habitats, we advise that the focus should be on creating/retaining these habitats within the scheme, even at the expense of the trading rules. Alternatively, a contribution based on the unit loss could be made to the LPA, to be spent on management or enhancement of a site that currently supports calcareous grassland / OMH in the local area.

Habitat creation, enhancement and management prescriptions in the Habitat Creation and Enhancement Summary - Revision 2 are largely acceptable and should be expanded upon in a detailed Landscape and Biodiversity Ecological Management Plan (LBEMP), secured via condition. We note that the Summary still refers to two small ornamental ponds in the east, which are no longer proposed. The proposed wildlife enhancements, including bat and bird boxes, shall be expanded upon in the LBEMP and shall ensure compliance with BS 42021:2022.

The comments on protected species from our previous letter are still relevant and we have suggested conditions to address these. The applicant is aware that further conversation will be required with Natural England to agree an approach to GCN mitigation, in light of the previous licence and translocation works.

*To address DWT the applicant presented a revised metric and landscape / Green Infrastructure plans which provide additional calcareous grassland areas at the western end of the site. DWT have commented on this as follows:*

We welcome the additional areas of calcareous in the two western corridors of green space. We note that this amendment achieves a net gain overall of +0.31 habitat units (+1.54%). The trading rules are not met, largely due to the loss of woodland. However, on balance, we would prefer to see this increase in calcareous grassland even at the expense of some previously proposed wooded areas in the scheme. This habitat is of higher distinctiveness and is less common in the district.

Full details of whether these new areas will comprise retained grassland, receive translocated turves or whether they will need to be created/sown, can be provided in the revised LEMP, which we have agreed is required at a later date. They should not receive topsoil and be established on thin, calcareous soils/substrate. We would recommend minimal tree planting in these areas and future management should include scrub control.

## 5.6 Development Control Archaeologist (DCC):

We were previously consulted on application 10/00039 for the same site and recommended that a condition be attached to secure archaeological recording of historic shafts and

mineworkings within the proposal area. However we were not subsequently consulted on 14/00541/OUT and no archaeological conditions were attached to this consent.

The proposed development, while of major scale, is wholly contained within the former Halldale limestone quarry. Any archaeological potential retained at the former ground surface across the site has therefore been removed in the quarrying process.

The quarry is however in a lead mining area, as defined in the Peak District National Park Authority date on historic lead mining in the White Peak, and it is therefore worth considering whether any evidence for historic mining, in the form of shafts, levels and soughs, might survive within the site. Review of the PDNPA data suggests that there were only minor lead-bearing deposits within the site, with no major rakes present. The First Edition Ordnance Survey map of c1880 shows a significant concentration of mining to the east of the site, along Seven Rakes, with scattered shafts extending south of the site beyond Salters Lane. Two former shafts are shown in the extreme south-western corner of what is now Halldale Quarry, with a third shown on the western boundary to the south of Masson Farm. These shafts are perhaps however outside the red-line boundary of the current application. The Ordnance Survey map of c1895 shows these shafts but adds another in the centre of the site within the red line boundary at SK 2887 6014.

The Geo-Environmental Report submitted in 2010 includes the results of a search for historic mineshafts on the Derbyshire County Council database on disused mineshafts. The database shows twelve shafts within the proposal area, mostly clustered within the south-western part of the site. It is also possible that further unmapped shafts exist within the site.

It is not known at present whether these shafts penetrated beneath the level of the present quarry floor. It is certainly possible, however, that a significant number of historic mine shafts and other workings do survive beneath the quarry floor. Capping and grouting of workings will detrimentally impact upon the historic lead mining evidence within the beneath the site.

There is consequently a requirement under the provisions of NPPF para 205 for a conditioned programme of archaeological work to mitigate any such archaeological impact. This will require archaeological involvement within the mitigation works for shafts and other mine workings, to allow archaeological recording of these features before they are grouted and capped, and this will need to include assessment and recording of underground workings where grouting of these is proposed. A condition to secure a written scheme of investigation is recommended.

#### 5.7 Environment Agency:

Do not wish to comment.

#### 5.8 Trees and Landscape Officer (DDDC):

##### *1. Potential impact to existing trees*

No detailed information appears to have been submitted to date relating to the potential impact of the proposals on existing trees. I recommend that the applicant should submit for approval pre-determination an Arboricultural Impact Assessment prepared according to the guidelines of BS 5837:2012, to include:

- a Tree Schedule,
- a Tree Constraints Plan (on a plan of the site as existing),
- a Tree Removal and Retentions Plan (on a plan of the site as proposed),
- a Tree Protection Plan (to include specification of temporary tree protection fencing and/or temporary ground protection systems),
- and

- a Tree Shading Plan (on a plan of the site as proposed).

If any development (including demolition, surface level change, surfacing, excavation, construction, services installations, etc) or site activity (including temporary access routes, parking, storage or lay down areas, site offices, etc..) is proposed within the canopy spread or root protection areas of any retained trees then I recommend that a detailed site specific Arboricultural Method Statement be required to be submitted for approval. This could be required to discharge a condition to a grant of planning consent.

## *2. Proposed landscaping*

A detailed proposed landscaping scheme appears not to have been submitted to date. I recommend that this will be required to be submitted for approval, though could be in order to discharge a condition to a grant of planning consent.

## *3. Potential visual impact in the landscape*

A major development such as the proposed has the potential to result in unacceptable harm to the character and appearance of the landscape. I recommend that the Council appoints a Landscape Architect to assess this and make appropriate recommendations. A Landscape Visual Impact Assessment may be required.

## 5.9 Force Designing Out Crime Officer:

Whilst this is one application, on examining the detail I see that it is in effect 7 parcels of land peripheral to the main quarry development, one of which substitutes a previously approved block of housing.

The land parcels from A through to G are noted as :-

A – A single C1 commercial unit

B – A single residential unit, The Manor House.

C – Four HT101 houses

D – A single HT106 dwelling

E – Commercial development, The Cabins

F – Eleven mixed detached dwellings

G – Three HT107 stepped houses, block Y consisting of three town houses, a single HT04 house.

As relatively small and peripheral additions to the overall development there would be no reason to object to any of these parcels of development in principle.

There are no layout issues within context.

I note that the Y block of town houses has no side treatment, so no facility to supervise the parking allocation to each side of the block but noting that allocated parking for these three units lies to the front. It's not made clear as to who these side of block parking bays are intended for.

I also don't see any floor plans online for these houses, excepting a roof plan. There is no detail of boundary treatment/enclosure for any of the seven land parcels. I'd expect that this will in all likelihood be formed by landscaping for the bespoke housing units with more complex levels, those being parcels C, D and G, but would expect that there would be some form of domestic scale boundary for the Manor House and housing parcel F, and consideration of securing land around parcel A outside of trading hours.

I expect that enclosure could be a condition of approval to be fleshed out in due course.

*Comments on the additional information provided:*

The additional information does not impact on our prior comments.

5.10 Right of Way Team (DCC):

I can confirm that Matlock Public Footpath No. 90 runs adjacent to the development site, as shown on the attached plan.

The creation of footpaths within the site is welcomed and, should the application be successful, the applicant is invited to dedicate these as public rights of way, in order to safeguard them for future generations.

It appears from the proposed layout plan that there is no way in or out of this large site, other than the primary access route that connects to the highway. Considering that there is a network of public footpaths in the vicinity, it is vital that the site links to these routes via a number of connections around the site, to give residents access to the surrounding countryside. If this can be achieved, it would also provide safer and quicker walking routes to Matlock town centre, and would significantly improve the PRow network in the area. The

Rights of Way Section therefore objects to the layout plan as it stands, but would welcome the opportunity to liaise with the applicant to achieve the improvements mentioned.

I should be grateful if you would advise the applicant as follows: -

- Footpath 90 must remain open, unobstructed and on its legal alignment.
- There should be no disturbance to the path surface without prior authorisation from the Rights of Way Section.
- Consideration should be given to the safety of members of the public using the path during the works. A temporary closure of 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 path, and no fencing should be installed without consulting the Rights of Way Section.

5.11 Derbyshire Dales Group of the Ramblers:

Ramblers Derbyshire Dales Group submits a holding objection until the following receive more information:

i) In the D&AS under 2.2.6 a Travel Plan is referred to for sustainable modal forms. We await this Travel Plan

ii) The plan on 2.2 shows only one exit for the development. This may lead to a car orientated development. Matlock FP 106 is west and just enters and ends within the development to the west at SK 2866 5986. This Right of Way should a) be preferably extended b) a route created linking the RoW FP with the internal site highway network

ii) Matlock FP 91 is curtailed at 92.2m to the east outside of the site at SK 2934 6015. Extending this FP and linking it to the site highway would be very beneficial. This would provide a reasonably direct and safe walking route to the town centre. Can both this and ii) above be included in the Travel Plan?

iii) Matlock FP 90 runs west adjacent to the site boundary. The FP should 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 Way during the proposed works.

iii) Any encroachment of FPs 90 and 106 would need consultation and permission with/from the DCC Rights of Way Team

### *Comments on the footpaths markup plan received:*

Ramblers Derbyshire Dales Group continues with its holding objection: NB This is the same relevant submission as for 20/00308/REM 196 dwellings

- i) It is welcome that provision is made for a path link in the NW corner of the development to Matlock FP 90 in the Footpaths Mark Up Plan.
- ii) It is also welcome that provision is made for a path on the north boundary, potentially linking to Snitterton Road
- iii) However, there is no mention of Matlock FP 106 which ends just inside the SW boundary of the development. FP 106 continues westwards from FP 90. A path should be created to link with this Right of Way FP and on to the wider RoW network. There is potential safety issues of walkers arriving at the western end of FP 106 and then trying to continue. It is Ramblers' policy to oppose any RoW extinguishments.
- iv) Likewise, there is no mention of a path to the western edge of the boundary, where there is the great potential to link up with the present truncated Matlock FP 91. This is the most important potential link for safe and sustainable travel by foot out of the development. The eastern end of Snitterton Road leads directly to into Matlock Bridge and the town centre. The highway is blocked to vehicles from its junction with Salters Lane.
- v) Access out of the development for vehicles, walkers and wheelers is only via Snitterton Road. This highway is poor in terms of safety for walkers and wheelers
- vi) This situation with the present plans creates a 'bag' development with only one way out and further creates a car-dependency environment for residents and visitors. Residents may be discouraged from walking and/or wheeling the very short distance to the town and instead drive the less than one kilometre distance
- vii) Consultation should be made on all the above with the DCC Rights of Way Team.

#### 5.12 Peak and Northern Footpaths Society:

I assume that the public footpath which runs to the west of the application site, Matlock FP90, would not be affected by this development, although I hope that consideration would be given to the improvement of this path as necessary to accommodate the greatly increased use of the path by the residents of the development. The full width of the path must be unobstructed at all times. I welcome the proposed new paths passing through the landscaped areas of the site and request that these be dedicated as public rights of way.

In separate representations made Peak and Northern Footpaths Society refer officers to comments made in respect of application 22/00308/REM.

#### 5.13 Derbyshire Fire and Rescue:

The Fire and Rescue Authority strongly recommend the Installation of a Domestic Sprinkler System in the proposed dwellings, however should you choose not to install a Domestic Sprinkler System at this stage, the Fire and Rescue Authority would like to recommend that you provide a minimum 32mm water supply capable of delivering the required volumes which would allow an installation to be carried out easier and at less cost should this be proposed in the future.

#### 5.14 Director of Housing

I appreciate there will be viability issues on this site but I would have hoped that a major development of this size could make some contribution to affordable housing provision.

#### 5.15 Natural England

No objection subject to appropriate mitigation being secured.

We consider that without appropriate mitigation the application would:

- damage or destroy the interest features for which Cawdor Quarry and Masson Hill, Sites of Special Scientific Interest have been notified.  
<https://designatedsites.naturalengland.org.uk/>

In order to mitigate these adverse effects and make the development acceptable, the following mitigation measures are required / or the following mitigation options should be secured:

- An appropriate construction environmental management plan (CEMP) should be established prior to the commencements of any permitted work on site.

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

Natural England have also provided advice on designated sites/landscapes and other natural environment issues, which is reflected in the officers appraisal section of this report.

#### 5.16 Sport England

Has no comment to make on the application.

#### 5.17 Cllr Burfoot (in their capacity as County Councillor):

I need to point out that I am a member of the planning committee at DDDC and as such these are my preliminary views only. At the planning committee I will look at the application afresh.

I welcome this development on a brownfield site in Matlock in a fairly sustainable location with rail and bus links quite close and a reasonable walking distance into the town with its facilities.

It has been pointed out by the DDDC Tree and Landscape officer that a Landscape Visual Impact Assessment needs to be submitted as the development proposed will be visible and prominent from many parts of the town.

I am aware that the Local Plan allows for contemporary development of a high standard and I welcome this on this part of the town.

I am very opposed to any amount of red brick in this development as mistakes have been made in developments in Matlock in my opinion and I do not wish to see more.

Accordingly, any brickwork needs to be of a colour to blend harmoniously with stone.

Included in the application is an area for commercial use. I personally would like to see a supermarket such as Lidl or Aldi acquiring this site to further contribute to choice for residents and visitors alike. Looking at the Design and Access statement I suspect that the amount of parking spaces would not be sufficient for most commercial uses. I will forward any relevant comments received at a later date for your consideration.

*Further comments received:*



I welcome the development will be based on the quarry floor. Certainly the surface water and sewer systems need to be carefully considered, given the fact that the drains may have to be excavated in bed rock.

Capacity of sewers is of major importance in the town. I would also hope to see a range of footpath links to Snitterton Road and Matlock Spa Road to encourage access to the town on foot.

#### 5.18 Planning Policy (DCC):

##### Extant Permissions

Derbyshire County Council, in its role as Mineral Planning Authority, has previously advised your authority on its preferred approach to dealing with the extant mineral planning permissions which covered both Halldale and Cawdor Quarries. Most recently these comments were made in respect of planning application 10/00039/OUT which was later granted planning consent 4 January 2011. To recap, it was advised that your Authority should consider seeking to dispose of the old planning permissions by:

- revocation
- modification on part of the site; and
- a commitment by planning obligation that the mineral planning permissions would not be used.

We have no records that this advice was taken in respect of planning permission 10/00039/OUT and would be grateful for clarification on this point. If it is the case that some or all of the mineral planning permissions remain extant we would again wish to advise the same approach i.e. that the opportunity should be explored to dispose of the old permissions by revocation, modification on part of it, or an obligation that the permission would not be used. We would also welcome further dialogue with your Authority in order to determine the most appropriate way forward to address this issue.

##### S106 Contributions

###### *School Places*

The proposed development falls within and directly relates to the normal area of St Giles Church of England Primary School. The proposed development of 24 dwellings would generate the need to provide for an additional 2 infant and junior pupils.

St Giles Church of England Primary School has a net capacity for 140 pupils, with 80 pupils currently on roll. The number of pupils on roll is projected to decrease during the next five years to 66.

Analysis of the current and future projected number of pupils on roll, together with the impact of approved planning applications shows that the normal area primary school would have sufficient capacity to accommodate the 5 infant and 2 junior pupils arising from the proposed development.

The proposed development falls within and directly relates to the normal area of Highfields School. The proposed development of 24 dwellings would generate the need to provide for an additional 7 secondary including pot 16 pupils.

Highfields School has a net capacity for 1394 pupils with 1244 pupils currently on roll. The number of pupils on roll is projected to decrease to 1155 during the next five years.

An evaluation of recently approved major residential developments within the normal area of Highfields School shows new development totalling 74 dwellings, amounting to an additional 21 secondary including post16 pupils.

Analysis of the current and future projected number of pupils on roll, together with the impact of approved planning applications shows that the normal area secondary school would have sufficient capacity to accommodate the 7 secondary including post 16 pupils arising from the proposed development.

The above analysis indicates that there would be no need to mitigate the impact of the proposed development on school places in order to make the development acceptable in planning terms. The County Council therefore requests no financial contributions.

An advisory footnote in relation to NGA broadband provision is recommended and advice on waste, the design of the dwellings in relation to public health and employment and skills is provided.

#### 5.19 Lead Local Flood Authority:

##### *Initial comments:*

We have reviewed this planning application and have no objection subject to conditions. In order to condition this planning application, the following information need to be submitted to LLFA;

- Topographic Survey of the site
- Total site area and total areas upstream of the ponds
- The originating RSK Flood Risk Assessment Report 880018-R2 (02) in Appendix B of FRA (this document is missing in Appendix B of FRA)
- Detailed Engineering Drawing in Appendix C of the FRA (this drawing is missing in Appendix C of FRA).

##### *Comments on the additional information received on 04/05/2023:*

Derbyshire County Council as the Lead Local Flood Authority (LLFA) has reviewed the information submitted for this application, which was received on 04/05/2023. The LLFA requires the following information.

- Applicant is proposing to discharge into existing Hall dale Quarry at a rate of 2.38l/s/ha as agreed with LLFA (see page 19 FRA) through existing land drainage asset within the Hall dale Quarry, can the applicant provide more information regarding the outfall, its condition and wider connectivity, evidence to be provided with photos.
- Applicant has not provided allowance for urban creep, this need to be included in the Flood Risk Assessment (refer to section J of Advisory/Informative Notes of this document). A revised FRA to be submitted.

##### *Comments on the additional information received on 14/07/2023:*

Derbyshire County Council as the Lead Local Flood Authority (LLFA) has reviewed the information submitted for this application, which was received on 14/07/2023. The LLFA has no objection subject to conditions and advisory footnotes.

#### 5.20 Derby and Derbyshire Integrated Care Board:

24 dwellings is currently under our threshold for consultation.

## 5.21 Chesterfield Royal Hospital

Request a financial contribution amounting to £20,359 based on additional demands on services.

## 5.22 Cllr Martin Burfoot:

I am generally relaxed about this latest application, which seems to combine traditional and contemporary design, between a mixture of residential and commercial buildings, with a welcome use of natural stone, presumably limestone, with a more traditional village centre.

This application is a welcome acknowledgement by the applicant that building work should be based on the present former quarry floor, thereby avoiding extensive re-grading, although there are already huge variations in levels, some incorporating stepped designs. These are acceptable on the lower quarry floor, but should not be sited in view of the upper parts of Matlock Bank. Specifically, I am more concerned about the proposed three storey apartments. Also, the surface water and sewer systems across a quarry floor and their outfall to Snitterton and Matlock Spa Roads must be considered, together with the capacity of the main sewers etc on those roads to accommodate further connections.

Given that this is obviously a 'brownfield' site, I am more relaxed about the proportion of modern designed commercial buildings, and doubt if there is a demand locally for what appear to be office type uses, as opposed to light industrial.

I am concerned about several other aspects of the proposals, specifically my previous request (in a historic application for the site) that there must be a range of footpath links to Snitterton Road and Matlock Spa Road, in order to encourage walking.

Also, I am always sceptical about the relative lack of landscaping of large, mainly residential developments, with locally indigenous tree and shrub planting, as well as appropriately located areas of wild flora conservation and seeding, in order to enhance the existing biodiversity, which is typical of limestone quarry floors with minimal soil cover. The external works or hard landscaping, mainly roads and footways within the development, also needs close attention to materials and overall design.

Finally, I have severe doubts about how appropriate and acceptable in landscape and visual impact terms the upper tier and later phase of residential properties will be, given the removal of so much of the naturally regenerated tree growth. Therefore, I think the phasing proposed needs to be made absolutely clear prior to any approval.

## 6. REPRESENTATIONS RECEIVED

6.1 A total of six representations have been received from local residents, 2 objecting to the application and 3 commenting and one in support. The comments can be summarised as follows:

### Objections

- Concern raised regarding increased number of vehicles that will use Salters Lane to avoid Matlock and Matlock Bath.
- Concerns raised about the additional traffic the development will cause both on Matlock Spa Road and Snitterton Road. Since the development of Limestone Croft there has been a marked increase in the traffic on Snitterton Road and we now have the new development under construction at Cawdor which will add significantly to the Matlock Spa Road traffic.
- Representations which repeated the comments made by South Darley Parish Council.

## General Comments

- Permission should be conditional upon a Community Liaison Group being created to monitor the construction works and to provide a mechanism to keep the public informed and to allow feedback to the developer.
- The combined effects of the two major development schemes at Cawdor Quarry and Hall Dale Quarry will inevitably risk generating a substantial increase in traffic volume using the road network through the rural settlements of Snitterton and Oker. The 'country lane' system through these parts is over 1 mile long and is typically narrow, single lane in sections, without footpaths and with several tight blind bends.
- From the design details provided to date for the Hall Dale Quarry development, particularly in relation to the vehicular access solution to the site, I am not entirely convinced that adequate attention has been given to formulating measures that will deter traffic movement along the country lanes of Snitterton Road and Oker Road and instead, to encourage use of Matlock Spa Road for access and egress. I therefore recommend that the applicant should be requested to review the design for the proposed site entrance and to produce a road junction layout that will seriously deter the use of Snitterton Road by traffic approaching or departing the proposed development. Further mitigation measures should also be employed to control traffic flow on Snitterton Road and Oker Road, as well as to allow safe movement by road users and pedestrians. These might include traffic calming, improved speed and safety signage, visibility improvements at blind bends and where practicable, the provision of footways.
- Site C (plot 140 especially) has been placed within an area of established trees and visibly far too obvious from Matlock town.
- Plot 140 also seems to sit too close and within Gordon Lodge's clear visibility, (especially noting the elevation of the proposed property) which will affect the Gordon Lodge existing properties Residential Amenity.
- Site D (plot 149) will be very visible from Matlock town, whereas the previous plan iteration had a pleasant green space for the developments communal amenity.
- The other element that requires clarification is the public footpath situation, as there are a number of paths that have been used by the general public for a number of decades and the management of foot traffic. Specifically foot traffic's impact on the application properties current neighbours in terms of nuisance noise and potential trespass (via trying to find shortcuts to town) onto neighbours properties.
- We also request that the construction activities are suitably restricted for noise (not before 8am or after 5pm) and be good neighbours during their works.
- We have no real issue with the development of this site predominantly for housing as outlined in the proposal, provided it is approached in sympathy with its semi rural surroundings.
- We live at Gordon Lodge Barn and so our property is in very close proximity to the North/North East boundary of the site. We are therefore concerned with the revised plan which clearly shows the new site C is now encroaching the existing woodland/scrub between our property boundary and the new site.
- Over the years since quarry working ceased, this area along with many others around the sites borders has acquired a high natural value for wildlife and wildflowers.
- The upper parts of the proposed development, which includes site C are likely to be highly visible from the main part of Matlock, and will be intrusive in a currently green and unspoiled view. This will be particularly true of the light pollution which will inevitably accompany the development.
- It would be good to encourage both cycling and walking into town from this new development. As Snitterton Road presents the most direct route, to achieve this safely would require a 20 mph or 30 mph speed limit on Snitterton Road between the junction of Matlock Spa Road and the junction of Salters Lane. In addition the speed limit on Matlock Spa Road up to and preferably beyond the entrance to the new development should be no more than 30 mph with no parking allowed on the roadside.

- The access to the site needs careful design. The development of Cawdor Quarry has revealed various issues:
  - A) Excessive on road parking on site due to inadequate plot parking.
  - B) On road parking on Matlock Spa Road is detrimental to safe passage for vehicles.
  - C) Footway and Cyleway provision up Matlock Spa Road should be given priority before heavy site vehicles are allowed access to the site.
- Salters Lane has seen increased usage and deterioration especially due to the continued closure of the road through Snitterton and Oker. Development of Halldale will make this worse.
- Footpath and/or footway access from Halldale to Salters Lane should be properly restored and / or established.
- The opportunity should be taken to ensure full advantage is taken of the opportunity to install solar panels on every suitable roof.

Support:

- In general I support the development of this brownfield site.

6.2 The following representations have been received from Matlock Civic Association:

*Initial Comments:*

MCA are grateful for the opportunity to add to, and confirm, our comments in its letter dated 31st March 2023.

*Pedestrian links and jitties*

There is scope in the layout to add-in jitties (separate pedestrian ways) and cycle links, and the provision of these links between plots 191-192, 195-196, and 206-207 is commendable.

However, the extent of provision elsewhere is limited, particularly:

- a. North from the vicinity of plots 206-207 to gain access to the main access point to Snitterton Road and the nearby proposed commercial area.
- b. From the central play area and village centre to development proposed to its east, south and west. and
- c. The provision of a short - cut from plot 12 westwards to the main access point would be a worthwhile addition.

This is a fundamental sustainable Master Plan requirement which is likely to endure for centuries if implemented. The presence of jitties through and to Megdale and Morledge are examples which should be followed, even if it means revision to the remainder of the Layout Plan.

Conditions of any permission should ensure that footways are implemented at reasonable time periods so that they benefit the first occupants of Halldale and are not delayed until later phases of development.

*Design and materials*

We omitted to mention in earlier representations that we particularly welcome the use of local stone and toning brick and the emphasis on simple gabled roof designs where this approach has been deployed. This approach is marred to some extent by the use of neo-classical features including for the designs of porches on a large number of proposed dwellings.

MCA are becoming increasingly concerned about the proposed scale and design of proposed block X and the 3 proposed blocks Z, which are providing 47 x 2 bed flats in total. The buildings with 4 floors will be of a substantially greater scale than their proposed surroundings. They are proposed at a crucial location close to a central water feature and the well-designed proposed waterside café/restaurant / social centre. These buildings should enhance their surroundings, but their roof detailing bears no relation to traditional design in the locality and would relate poorly to the designs selected for the majority of dwellings proposed in their vicinity. It is suggested that the height is reduced, traditional pitched roofs are used to cover a reduced depth of footprint, and the detailing on the elevations takes more account of local building styles. Revised plans should also clearly indicate car parking provision for these flats; it looks as though there is insufficient surrounding land to accommodate adequate parking provision.

The area in the vicinity of the main site entrance includes 3 large and overtly contemporary dwellings on plots 218-220 and a 4-storey mansard -roofed block Y, at plots 22-24. In order to achieve a reasonable level of cohesion these house types should be replaced by the more traditional designs proposed for plots 1-9 and 25-33.

Similarly, the 2 ultra contemporary blocks of 4 flats type (W) proposed for plots 14-21 would also be completely out of character with the more traditional designs proposed for plots 10-13 and 78-82 in close vicinity.

A similarly contemporary house type 101 proposed on plots 136-140 would also stray from the cohesive traditional approach for dwellings across the road and further south. Types 101 at plots 166-169 are also proposed to be sandwiched between more traditional designs, and the same criticism can also be levelled at types 102 and 103 on plots 192-197.

The location for the proposed contemporary buildings (types V, 148 and 149) is more acceptable since they can satisfactorily occupy a separate and well-landscaped area. It is important though that the large areas of flat roof are not seen from the higher locations on the other side of the Derwent Valley. Timber cladding appears to be proposed to a considerable extent on proposed commercial building. It has a tendency to deteriorate and is not a feature of Matlock, even on modern buildings. These commercial buildings will be in prominent locations and the materials used should reflect local practice and should match the stone and toning brick proposed everywhere else in the development. Any timber cladding should be a clearly subordinate element.

### *Social housing*

MCA find it very difficult to accept that the strict application of social housing policy to the whole development encompassing the outline permission and proposed full application will only generate 7 social dwellings, when an application of Local Plan policy would release 66 such dwellings. It is understood that this arises from the terms of the outline planning permission in 2017, but the council are urged to seek to negotiate as many social dwellings as possible. This should not result in reduced compliance with all other relevant policies.

### *Conclusion*

I repeat that it is recognised that the current proposals include many commendable features, but this letter indicates MCA's overriding view that substantial amendments are still required to these proposals.

### *Follow up comments:*

It is noted that the submitted Design and Access statement (DAS) is expressly covering the recent Full Application (22/01371/FUL) and the reserved matters application

(20/00308/REM), which has been held in abeyance for 3 years. These representations, therefore, relate to both applications.

Matlock Civic Association welcome the judicious use of brownfield sites for mixed development, which reduces the need for greenfield additions to the town, and it is noted that the broad principle of the proposal has been established by outline permission. The applications have been considered in that context.

### *Improvements and positive elements*

We note changes have been made to meet our primary objections in 2020 as follows:

- a. The council appear to be considering the proposed development as a whole rather than in piecemeal fashion.
- b. The mix of uses and concept of the village centre, including significant areas enabling increases in employment, are welcomed.
- c. The proposed commercial area close to the site entrance is substantially smaller and lower with a good design in our opinion. It is a big improvement. However, we share the concerns of the highway authority about adequacy of associated parking /turning space. Overspill commercial parking at the entrance to the main access route would be particularly unfortunate in this key location.
- d. The inclusion of a substantial proportion of contemporary dwellings, but with traditional materials and pitched roofs, is commendable.
- e. The plans indicate the additional extent of development, compared to outline stage, within the area enclosed by the quarry walls, and woodland.
- f. The additional areas for development are acceptable in our view. It enables landscaping conditions to apply to the periphery of the development area.

### *Reservations*

We hope that the proposals can be remedied accordingly to take account of the following comments. If not, they should be considered as objections to the proposal.

### *Social Housing*

The DAS refers to the requirements of the Local Plan for affordable housing in accordance with Local Plan policy. but it does not specify the number of social housing units or its location. The Head of Housing at DDDC, Mr. Cogings, considers that a major development of this size should make a contribution to Social Housing. We would normally go further than that. The full provision of social housing, as defined in Local Plan policy, should normally be provided. However, we note that the outline permission and section 106 agreement (20/00308) did not set out a social housing requirement.

Consequently, the extra 24 units the subject of the Full Permission, and outside the site of the outline application, should be subject, at least to the 30% social housing requirement to come forward in a timely manner.

### *Design and Landscape*

The proposals indicate that a total of 33 dwellings are of a large cuboid design with flat roofs and large areas of glass. Their stepped design reflects the designer's intention to incorporate the existing landscape, rock faces and evidence of the former quarry. This contemporary approach is considered to be acceptable at the eastern part of the site where the proposed block of 7 flats (V) and dwellings on plots 148 and 149 can be sited where there will be ample opportunity for intervening landscaping.

Elsewhere, and including blocks W and plots 136-140 at the north of the site, plots 218-220 near the main access, and plots 192-197 on higher land, the proposed use of this form of design will be close to, and conflict with, the more traditional form of development proposed and will be contrary to the character of the Halldale site and its surroundings.

The mansard form of development, also including some high flat roofing, at blocks X, Y and Z will be prominent and completely out of character with the traditional form of architecture in the locality.

It is important that existing woodland at the site margins remain intact, particularly at the northern part of the site, where it would be vulnerable to the impact of development.

### *Materials*

The overall extent of each type of facing material is not stated on the elevations of house types. The extent and type of all facing materials to be used needs to be clarified, with opportunity for further public comment, before any permission is granted.

Visual cohesion should be achieved by grey slate for pitched roofs throughout, and a far greater proposed use of stone for elevations and walls. The remainder of facing materials for buildings and walls should be brick, which tones well with stone, or plain white render. Red brick or other non-toning colours should not be used except to a limited extent for detailing, for example at cills and window heads on a small proportion of dwellings.

Since the site is close to the divide between limestone (extracted from this quarry) and gritstone (prominent in Matlock) maybe a mix of both would be appropriate as at nearby Wensley and Winster (e.g. gritstone quoins, and door and window frames, but limestone infill). Jackson's Leys at Middleton by Wirksworth is a good example of how it could be done in a modern development.

We are concerned about the proposed use of timber panelling, since it is more vulnerable to natural deterioration, and can become unsightly.

### *Pedestrian Links*

The Master Plan appears to include commendable scope for jitties to enable pedestrian links between and within the proposed layout, but they are only shown to a very limited extent on the proposed site plan. This is a major omission. The layout should be amended so that there are clear and direct pedestrian routes between the main point of access off Snitterton Road, residential, retail, recreational and social uses.

The provision of jitties linking the various parts of the site and linking to the roads and paths around the site should be clearly designed - in from the start and protected by condition.

### *Flooding*

The development will result in substantial ground disturbance and extensive additional hard surfaces. The site is also likely to overlie old lead mine workings, with a risk of engineering work causing surface water percolation. These factors will substantially increase the extent of risk of flooding. It is noted that the proposals include flood attenuation ponds, but it is essential that adequate site investigation and ameliorative measures are incorporated so as not to add to Matlock's flooding problems.

### *Conclusion*



We would be grateful if you can consider the points in this letter, particularly our concerns in section 3 of this letter. I would also welcome your confirmation that make application reference 20/00308/REM will be made available for public consultation when all necessary changes to that application have been made by the applicant.

*Comments made on 31<sup>st</sup> July 2023:*

Following our previous representations, the applicants extended an invitation to meet them on site, and we also corresponded on their proposals. This has led to a further narrowing down of the issues between us and further acceptable amendments. However, I regret that there are still significant objections to the proposal(s).

*Design*

MCA recognise that the applicants have amended their more traditional house-types so that the detailing better reflects the well-established local building styles.

However, we are still very concerned about the non-traditional roof designs including for plot 92 and proposed blocks W, X, Y and Z This is a major sticking point for us. Flat-roofed designs and hipped and crown roofed designs with large flat roofed dormer windows, should be replaced by traditional pitched roofs with less dominant dormers, preferably with gable ends rather than hipped roofs. Where a deep plan form would create an excessively dominant roof, it is necessary to either reduce the depth of the building or create double pitched roofs in keeping with the local vernacular.

These proposals are even more unacceptable because they will be relatively dominant and unsympathetic to the more traditional areas of proposed development in close proximity. For example, the proposals for blocks X and Z will adversely affect the otherwise well-designed approach for the social hub/restaurant and nearby dwellings in the vicinity of the proposed central water feature.

The proposed ultra contemporary designs are also unacceptable where they will be close to, and would clash with, more traditional development proposals nearby. This applies to plots 136-140 ,166-169, and 218-220.

The cuboid design on the latter 3 plots would be These proposals are contrary to planning policy PD1 of the 2017 Local Plan which requires:

“all development to be of high quality design that respects the character, identity and context of the Derbyshire Dales townscapes and landscapes”.

The roof plans produced are not entirely consistent with how they are depicted on the proposed Site Plan.

*Materials*

The applicants have indicated that there will be a consistent use of stone for the facing material. This is welcomed but this is not apparent from many of the drawings which indicate a wider range of facing materials.

The local area has a tradition of limestone facing with a darker gritstone for detailing such as quoins, plinths, and window and door surrounds. This approach should be followed on this site, and conditions applied accordingly.

The timber cladding proposed on the upper section of commercial buildings is not traditional and is a potential maintenance problem. We suggest the option of replacing the timber-

cladding with good quality, dark grey profiled steel sheeting to blend with the dark-grey roofing materials which are being proposed on pitched roofs.

An alternative colour for the upper profiled steel sheeting, which tones with the stonework proposed, might also be acceptable.

### *Pedestrian Links*

The County Council Rights of Way officer has requested links to the local public footpath network and the proposed link on the “Footpaths Markup” is welcomed. However, this and the provision for future footpath to the north are not added to the proposed site plan.

A stepped footpath link in the vicinity of plots 208, 217, 218, 25 and 26 is required to ensure a direct link between the main access and a large number of dwellings in the southern and western sectors. Matlock has many examples of long-term maintenance of steeply stepped paths and I am sure it is possible to design a robust and practical scheme, including safety railings, to ensure this additional and much needed pedestrian link.

### *Conclusion*

MCA hope that the objections referred to above can be overcome by satisfactory amendments, since the development will provide housing without encroaching into open countryside. However, this is a large and important site and if the amendments requested above are not forthcoming, we consider that the proposals should be refused.

### 6.3 The following representations have been received from Derbyshire Swift Conservation Project:

As enhancement for breeding birds the Updated Ecological Appraisal (Morph Ecological Consultants, Feb 2023) states “It is recommended that bird boxes are installed within the retained woodland areas as well as installing integrated boxes into the new buildings” despite best-practice guidance stating that ecological enhancement for declining urban bird species should take the form of Swift bricks integrated into the façade.

Integrated nest bricks are preferable to external nest boxes as they become a permanent feature of the building, require zero maintenance, are aesthetically integrated with the design of the building, are less vulnerable to vandalism and have better thermal regulation with future climate change in mind.

Additionally, such bricks are considered a universal nest brick for urban bird species, including red-listed species such as Common Swift, House Sparrow, House Martin, and Starling.

Best-practice guidance has recently been made available with the publication of British Standard BS 42021:2022 “Integral Nest Boxes – selection & installation for new developments”:

The integration of universal nest bricks is also supported by the National House Building Council Foundation, the standard-setting body for new homes: Section 8.1 Nest sites for birds.

Additionally, section 174(b) of the revised National Planning Policy Framework (NPPF, 2019), states:

“To promote and enhance biodiversity and geodiversity, plans should: ...identify and pursue opportunities for securing measurable net gains for biodiversity...” and is explained further

by the accompanying guidance notes (NPPF, Natural Environment Guidance, paragraph 023): "...relatively small features can often achieve important benefits for wildlife, such as incorporating 'swift bricks' and bat boxes in developments..."

It is appropriate, therefore, that this development is built incorporating a reasonable number of Swift bricks (otherwise known as "universal bricks") so providing nest sites suitable for all these rapidly declining urban bird species. The density we propose is supported by the recently published British Standard (see above).

We request that a condition is imposed to ensure this development is built with up to 24 internal nest bricks (i.e. 1 brick per dwelling) designed for Swifts as a universal biodiversity enhancement for urban bird species and that photographic evidence of installation is made available upon completion.

6.4 The following representations have also been received from Tracey Queenan on behalf of Chesterfield Royal Hospital:

Section 106 impact on health to be considered. Initial modelling suggests that the impact of this development is up to £21k.

## 7 OFFICER APPRAISAL

### Policy Context

- 7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission 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). The National Planning Policy Framework (2023) is an important material consideration in respect of this application.
- 7.2 The site and wider quarry is allocated within the Adopted Derbyshire Dales Local Plan (2017) for mixed use development (Policy HC2(v) and Policy EC2(e)) comprising approximately 220 dwellings and 2 hectares of employment land. The site falls within this strategic land allocation and has been submitted in parallel with approval of reserved matters application code ref. 20/00308/REM for the erection of 196 no. dwellings, a cafe/restaurant (A3 Use) and 4no. Commercial Units (B1 Use) (outline planning application 14/00541/OUT). Together the development achieves the local plan allocation, delivering a total of 220 dwellings and commercial development covering 2ha. This application includes development that sits outside of the scope / site area of the outline permission and associated approval of reserved matters application which is pending consideration.
- 7.3 The settlement framework boundary for the town extends out to the west and includes the strategic land allocation. Matlock is a tier 1 settlement in the Adopted Derbyshire Dales Local Plan (2017). Tier 1 settlements are the largest settlements in the plan area. These accommodate the majority of the District's population, services and facilities. The spatial strategy seeks to focus to future growth in these settlements and to strengthen their role as service centres. It is recognised that they will provide significant levels of jobs and homes, together with supporting community facilities and infrastructure.
- 7.4 Such is the importance of the site in terms of the spatial strategy, it is specifically included in the plans strategic allocations. Policy DS5 deals specifically with the land at Halldale quarry and allocates 27 hectares of land allocated for mixed use development (Policy HC2(v) and Policy EC2(e)) comprising approximately 220 dwellings and 2 hectares of employment land. The strategic policy advises that development will be subject to compliance with adopted Local Plan policies and:

- Preparation of a comprehensive layout and site masterplan for the development incorporating community facilities proportionate to serve the needs of future residents of the site.
- Preparation of a detailed phasing programme covering the entire site, such a programme to ensure the provision of the employment development and residential development concurrently or as otherwise agreed with the District Council. Preparation of a Transport Assessment and Travel Plan, including full highways design, specific consideration of public transport routes, improvements to existing and development of new pedestrian/cycle routes and implementation of measures to deter traffic diverting through Oker and Snitterton.
- Provision of crossing facilities across Matlock Spa Road and the provision of footways up to and into the site.
- Provision of the required proportion of affordable housing and provision of an appropriate mix of housing types to meet the needs of the community.
- Provision of a comprehensive landscaping plan, including the retention of key landscape features.
- Preparation of a scheme to address the impact of development on visual amenity including potential light pollution.
- Provision of open space and green infrastructure on site with links established to the wider countryside.
- The submission of an air quality assessment and hydrological and hydrogeological assessment which identifies any potential effects, and any mitigation measures necessary to avoid adverse effects on the integrity of the Peak District Dales SAC either as a standalone development or in combination with other plans or projects.
- The submission of an assessment of the potential effects from recreation by future residents of the development on Peak District Dales SAC and any mitigation measures necessary to avoid adverse effects on the integrity of the Peak District Dales SAC either as a standalone development or in combination with other plans or projects.
- A site-specific Flood Risk Assessment in accordance with the findings of the Derbyshire Dales Strategic Flood Risk Assessment.
- Development shall have regard to the need to ensure sufficient capacity in the local sewage network and receiving sewage treatment works.
- Developer contributions towards the provision of infrastructure, educational services and other community services including open space as required.
- Ecological Assessment (i.e. desk and field based assessments, habitats/species assessments/mitigation proposals).
- Contamination and ground condition survey, and in the event that remedial works are required the extent of any mitigation measures to enable the site to be brought forward for development.
- Development shall have regard to the impact on the existing mineral resource, and
- Provision of a comprehensive landscape and biodiversity mitigation plan, including the retention of key landscape and ecological features.

7.5 The Council is unable at this time to demonstrate a 5 year housing land supply. Paragraph 11 d) of the National Planning Policy Framework is therefore engaged. Paragraph 11 d) advises that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- (i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed [7] ; or
- (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

In respect of footnote 7 the policies referred to are those in the framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 181) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 68 in chapter 16); and areas at risk of flooding or coastal change.

- 7.6 Notwithstanding that the site is already allocated for housing development in the Adopted Derbyshire Dales Local Plan (2017) and is located within the settlement framework boundary, the tilted balance in favour of the development is deemed to be engaged and it is a policy requirement to weigh the benefits of the development against any adverse impacts.
- 7.7 Having regard to the above, consultation responses and representations received and the relevant provisions of the development plan and guidance contained within the National Planning Policy Framework, the main issues to assess in respect of this application for full planning permission are:
- The appropriateness of the layout, scale and appearance of the development and associated landscaping;
  - The impact on the local landscape and setting of the Peak District National Park Authority;
  - Highway safety and traffic impacts and connectivity to the town / services and facilities;
  - Viability, affordable housing provision, housing mix and developer contributions;
  - The impact of the development on the residential amenity of the occupants of existing dwellings and future residents;
  - Open space and recreation provision;
  - Impact on protected sites, wildlife and ecology;
  - Surface water drainage, and;
  - Climate change.

The potential for below ground archaeology to be impacted is understood and a condition can be secured to ensure appropriate monitoring and recording of works within the vicinity of historic lead mining shafts to satisfy the relevant provisions of the development plan and national policy. This does not pose a constraint to development. The measures to design out crime can be secured / considered through planning conditions.

***The appropriateness of the layout, scale and appearance of the development and associated landscaping***

- 7.8 Paragraph 126 of Chapter 12 of the National Planning Policy Framework states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. It goes on to state that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this.
- 7.9 Paragraph 134 of the National Planning Policy Framework advises that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents which use visual tools such as design guides and codes. Footnote 52 refers to guidance contained in the National Design Guide (NDG) and National Model Design Code. As the District Council has not yet adopted any Design Codes the NDG and Model Design Code are of relevance.

7.10 In terms of local design policies, Policy PD1 of the Adopted Derbyshire Local Plan 2017 deals with design and place making and requires:

- development to be high quality design that respects the character, identity and context of the Derbyshire Dales townscapes,
- all new development is based on a thorough site appraisal and that 'design quality' is reflected in the development through a clear understanding of site context including reference to any Design Statements, Neighbourhood Plans, and is sensitive to its context as well as contributing to sustainable living and contribute positively to an areas layout and relationship to adjacent buildings and landscape features.
- development on the edge of settlements enhances and/or restores landscape character, particularly in relation to the setting and character of the Peak District National Park development contributes positively to an area's character, history and identity in terms of scale, height, density, layout, appearance, materials, and the relationship to adjacent buildings and landscape features.
- public and private spaces are well-designed, safe, attractive, complement the built form and provide for the retention of significant landscape features such as mature trees.
- developments are easy to move through and around, incorporating well integrated car parking, pedestrian routes and, where appropriate, cycle routes and facilities.
- developments are designed to minimise opportunities for anti-social or criminal behaviour and promote safe living environments.
- the inclusive design of development, including buildings and the surrounding spaces, to ensure development can be accessed and used by everyone, including disabled people development takes account of national design guidance and Supplementary Planning Documents.

7.11 Some of these provisions are included in Policy S7 of the Adopted Derbyshire Dales Local Plan, with an emphasis on maintaining the identity of the settlements that make up the central area, including Matlock.

7.12 The National Design Guide (NDG) sets out the characteristics of well-designed places and demonstrates what good design means in practice. It includes 10 characteristics that are key to good design. Its use helps to assess the quality of planning applications.

7.13 This application specifically concerns land and development around the periphery of the quarry. It includes development in a wooded area at the entrance to the quarry, housing development at the western end of the site and on the south eastern and northern fringes.

7.14 To achieve the quantum of development allocated and which is a viable proposition to the applicant there has been a need to include additional land, which sat outside of the application boundary in respect of outline permission 14/00541/OUT.

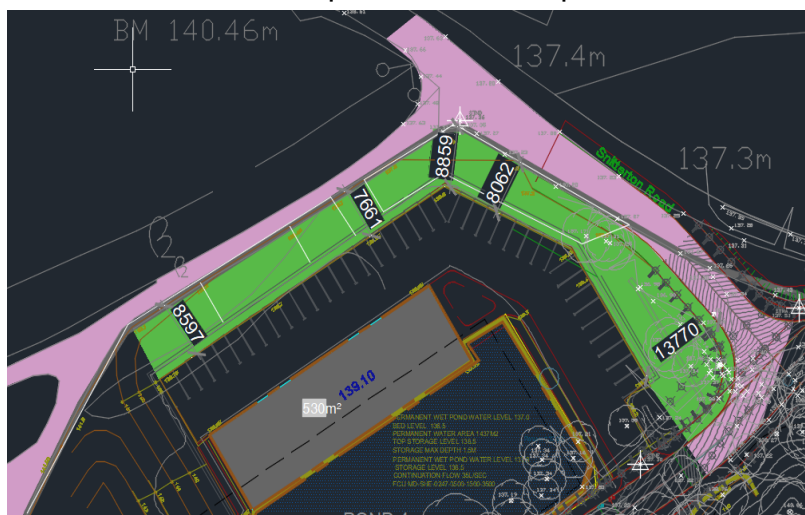
7.15 An architect led scheme has been prepared that seeks to positively respond to the features of the site. They have engaged Matlock Civic Association and made revisions to the roof design of building block Y to better respond to the architecture prevalent in the area and to reflect local built forms, whilst creating a strong identity / sense of place.

7.16 At the site entrance a traditional workshop style building is proposed, adjacent to a body of water. Beyond this is a series of three storey town houses with accommodation in the roof, which forms a focal building and continuation of the traditional properties that will line the road towards the development centre. In the background are a series of split level contemporary dwellings, which deal with the varying levels of the quarry. This is illustrated in the below 3d image:



7.17 Although there is variety in the architecture at the site entrance, the use and siting of contemporary split-level dwellings are used on the edges of the site, where there are significant variations in site levels over a small area are a common and consistent feature of the development. The focal town houses will form a strong entrance into and continuation of the traditional architecture that will lead into the development centre, where there is a higher concentration of dwellings, a café / restaurant and commercial buildings. Key to the success of the design and layout will be the use of materials. The contemporary dwelling is indicated to have three bands of materials. The rhythm of openings at ground floor would tie in with the traditional property and the use of stone at ground level could tie in with the limestone faces of the quarry and boundary walls, with the first floor being faced in gritstone so that there is an affinity with the workshop style building and traditional properties on the approach to the development centre, which provide a strong entrance into the development. Matlock Civic Association have raised concerns with the roof design of the town houses (block Y) and the design has been amended. The hipped ends are considered to be more reflective of traditional roof forms and would be perceived as such from public vantage points.

7.18 The site entrance is currently well screened by trees. Although there will be development within the wooded area and parking around the entrance commercial building, a significant buffer will remain to ensure an appropriate landscaped setting and to not open up significant views into the development when approaching the site from the east. The below plan shows the margin that will remain, enabling existing trees and woodland to be retained. A condition would be required to ensure an acceptable level and protection of landscaping in this area.



- 7.19 The development to the west will comprise a continuation of the housing forming part of the approval of reserved matters application 20/00308/REM. Their layout and design is considered to be acceptable. Development would be contained within the quarry and views filtered by existing landscaping. The development has been carefully designed to meet National Design Guide Criteria to ensure successful place making. The dwellings within the development transition from properties of a traditional form, with contemporary detailing to dwellings of overtly contemporary design and form that will be split level, responding to the level changes across the site. The housing development to west, south east and north follow this theme and will result in a unique development that will respect the identity of the quarry and be of a high quality that respects the context and identity of this part of the town in terms of its expansion.
- 7.20 The development also includes the cabins commercial buildings, which are architect designed and will sit close to a quarry face at the south eastern end of the site. Their design would complement the traditional and contemporary architecture of the other buildings and will create interest and an attractive environment for E(g) use.
- 7.21 Officers consider that the development is successful in terms of responding to context and creating identity to ensure successful place. The mix of housing and commercial development will also assist in creating a sustainable community. The development mixes built form with nature, including the retention of woodland planting around the site and the creation of new habitats, green corridors including trees lined streets and surface water attenuation features which will permeate through the site creating an attractive place to work and live. The green infrastructure and landscape strategy will ensure that the woodland areas and natural feel of the site will remain. Careful consideration will need to be given to the landscaping at the entrance of the site to ensure that this is sufficiently robust.
- 7.22 The harmonisation of materials and the execution of the architecture and, in particular, the various design elements will be key to the success of the development. In order to achieve this, conditions to secure samples of all materials (which shall include natural stone and buff brick), their distribution across the site, details of window and door designs (pattern, material and colour), porches, dormers, stonework (verge copings, kneelers, cornices, quoins, string courses, head and cills, window surrounds), chimney stacks and pots, boundary treatments, finished site levels and hardsurfacing will be required. Subject to careful consideration of such details, the development would satisfy the relevant provisions of the development plan in terms of the layout, scale and appearance of the development and associated landscaping and will deliver high quality development that would respect the site context and character and identity of the wider area.

***The impact on the local landscape and setting of the Peak District National Park Authority***

- 7.23 The development includes development on the fringes of the quarry and at the site entrance, which will be visible from the main access road into the site and from across the valley (Matlock Bank and Hackney).
- 7.24 Policy S1 advises that all developments should seek to make a positive contribution towards the achievement of sustainable development by improving the economic, environmental and social conditions of the area wherever possible. This will be achieved by conserving and, where possible, enhancing the distinct Peak District character, the natural and historic environment, including the setting of settlements both within the Plan area and its surrounding areas including the Peak District National Park amongst other considerations.
- 7.25 Policy PD5 deals specifically with landscape character and states that the District Council will seek to protect, enhance and restore the landscape character of the plan area



recognising its intrinsic beauty and its contribution to the economic, environmental and social well-being of the Plan area. This will be achieved by:

- Requiring that development has particular regard to maintaining the aesthetic and biodiversity qualities of natural and man-made features within the landscape, such as trees and woodlands, hedgerows, walls, streams, ponds, rivers or other topographical features.
- Requiring that development proposals are informed by and are sympathetic to the distinctive landscape character areas as identified in 'The Landscape Character of Derbyshire' and 'Landscape Character of the Derbyshire Dales' assessments and also take into account other evidence of historic landscape characterisation, landscape sensitivity, landscape impact and the setting of the Peak District National Park and where appropriate incorporate landscape mitigation measures.
- Requiring that development proposals recognise the intrinsic character, appearance and local distinctiveness of the landscape and landscape setting of the Peak District National Park and can be accommodated without unacceptable impact.
- Resisting development which would harm or be detrimental to the character of the local and wider landscape or the setting of a settlement.

Development will also only be permitted if all the following criteria are met:

- a) The location, materials, scale and use are sympathetic and complement the landscape character.
- b) Natural features including trees, hedgerows and water features that contribute to the landscape character and setting of the development should be both retained and managed appropriately in the future.
- c) Opportunities for appropriate landscaping will be sought alongside all new development, such that landscape type key characteristics are strengthened.

7.26 Halldale Quarry provides a dramatic and familiar backdrop to views across the valley, especially from Matlock Bank and Hackney. The development on higher ground to the south and east will be visible. When read as an extension of the town in this direction with the Cawdor Quarry development and having regard to the scale and design of the dwellings, it is not considered that the development would not be harmful to the local landscape. The position of the site relative to the Peak District National Park, some 700m away and surrounding topography is such that there would be no views that would result in harm to its setting.

7.27 There will be some further intrusion at night when the lighting associated with the development would be apparent in views from Matlock Bank and Hackney. To minimise any adverse effects an external lighting scheme is recommended. The development seeks to utilise and supplement existing tree planting to maintain the natural setting of the site and its contribution to the landscape.

7.28 Taking the above into consideration the development is considered to be acceptable in terms of its landscape impacts and effect on the Peak District National Park.

### **Highway safety and traffic impacts and connectivity to the town / services and facilities;**

7.29 Policies S1, S3 and HC19 of the Adopted Derbyshire Dales Local Plan (2017) 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.

7.30 The Local Highway Authority has assessed the ability of the road network to accommodate the amount of development (full application and parallel approval of reserved matters

submission) when considering the outline application and developer contributions have been secured towards highway improvements. The applicant is also at an advanced stage with agreeing the priority junction design to serve the development with the Local Highway Authority under s278 of the Highway Act, which includes increasing the extend of the 30mph zone along Snitterton Road. Although the roads are to remain private, the Local Highway Authority have advised that the road layout and parking provision is acceptable from a highway safety and traffic perspective and subject to conditions have raised no objections.

- 7.31 The Local Highway Authority have advised that a revised Travel Plan can be submitted prior to the occupation of any building on site. This will need to be conditioned as part of this and the parallel full application and linked to the terms of the legal agreement in respect of the outline permission, which secures funding for future monitoring.
- 7.32 The various rights of way groups have raised concerns with regard to the lack of walking and cycling connections to the town and wider countryside. These concerns are also raised in some of the representations received. There are no public footpaths that cross through the site, although there is a network of routes within the vicinity.
- 7.33 Due to existing topography, the previous quarrying activity and land ownership, there only is one point of primary access which is possible. In an earlier amendment to the reserved matters application the applicant explored the removal of the large hill at the front of the site, which could have led a much wider access area into the site, however this would open up views of the site and resulted in the removal of vegetation that would have a significant adverse impact on the landscape.
- 7.34 The applicant has had regard to the comments submitted by the County Council Rights of Way officer on the 24th of April, 2023, together with comments made from other consultees and contributors. The applicant has investigated how they could improve connectivity both within the site and to the wider area, given the existing topography, which in part consists of sheer quarry faces along much of the boundary of the site, which makes connectivity at those locations challenging. The masterplan was revised to incorporate a direct linkage onto footpath 90 from the site, which in turn links to footpath 106 and the wider network.
- 7.35 The revised site layout plan also includes the provision of a footpath link directly between the application site and Snitterton Road, on the land that lies within the applicant's ownership to the north. However, there is a strip of land within third party ownership that the applicant does not own or control that would be required to make this full connection. The current plan does make provision for a future link in this location. The site layout plan also includes increased footpath/pedestrian links throughout the site to encourage walking on foot. These linkage areas were marked on a revised plan which was submitted on 14th July 2023.
- 7.36 The applicant has commented on the County Council Rights of Way Officer's suggestion of a footpath being formed to the south of the site to Salters Lane to link to footpath no. 76. They advise that they have examined this opportunity and it has been discounted given that it is impossible to gain access at this point due to the major quarry faces located very close to it.
- 7.37 It is considered, having regard to the site constraints that appropriate provision has been made to connect to existing infrastructure to encourage walking and cycling where opportunities allow. The site is located approximately 1500m by foot from Matlock town centre. Matlock Spa Road and Snitterton Road rise on a considerable gradient to reach the site. Sainsbury's supermarket, some 600-700m from the site and is well served by buses. The railway station is located approximately 800m from the site via Snitterton Road/Matlock Spa Road. The station provides a direct service at an hourly frequency to Derby and Nottingham.

7.38 Having regard to the above development is considered to be acceptable in respect of the requirements of Policies S1, S3 and HC19 of the Adopted Derbyshire Dales Local Plan (2017). Conditions to secure the phasing of development and delivery of associated infrastructure will be necessary to ensure compliance with the above policies.

***Viability, affordable housing provision, housing mix and developer contributions***

7.39 In order to address the significant need for affordable housing across the Local Plan area, policy HC4 requires that all residential developments of 11 dwellings or more or with a combined floor space of more than 1000 square metres provide 30% of the net dwellings as affordable housing.

7.40 Policy HC11 of the Adopted Derbyshire Dales Local Plan (2017) prescribes a housing mix to meet the Council's housing needs and to create a sustainable, balanced and inclusive communities. The application proposes 17 no. three bedroomed dwellings and 7 no. four bedroomed dwellings.

7.41 Policy S10 states that suitable arrangements will be put in place to improve infrastructure, services and community facilities, where necessary when considering new development, including providing for health and social care facilities, in particular supporting the proposals that help to deliver the Derbyshire Health and Wellbeing Strategy and other improvements to support local Clinical Commissioning Groups (CCG) and facilitating enhancements to the capacity of education, training and learning establishments throughout the Plan Area.

7.42 When considered with the parallel approval of reserved matters application the development falls within the quantum of development approved at outline, where it was found following scrutiny by the District Valuers Office that the development was not viable with any contribution towards affordable housing or developer contributions. There are significant abnormal costs associated with development in a quarry and although the permission granted at outline is a material consideration, the applicant has presented an addendum which sets the scene with regard to the current viability position. The applicant has advised that the abnormal costs and need to have substantial infrastructure to be in place at the start of the development is unchanged therefore this is still a challenging site in terms of cash flow and financial viability.

7.43 Whilst it is acknowledged that the sales values will have increased since the original valuations were agreed this will be outweighed by the increase in development costs (labour and materials) and therefore this would not materially impact on the level of Section 106 contributions that have been agreed. The applicant advises that if anything there are likely to be greater financial challenges which will reduce the amount of available Section 106 contributions.

7.44 Taking the above into consideration, it remains that the development cannot support affordable housing provision or any new developer contributions. With regard to developer contributions necessary to support the development, the education authority have advised that there is sufficient capacity in the local schools to accommodate the needs arising from the development. The ICB advise that the development falls below their threshold for assessment and consideration of the any health contribution required. Whilst Chesterfield Royal Hospital have made a request for funding, this is not against a costed capital project and is not be CIL regulations compliant. The contribution appears to be related to service delivery, which should be funded through general taxation as the population grows.

7.45 Policy HC11 states that all new residential developments (both market and affordable and whether general needs or specialised) will be required to contribute towards the creation of sustainable, balanced and inclusive communities by meeting identified local and District

housing needs in terms of housing mix, size and tenure. Generally, the larger the scale of development, the more opportunity exists for a wider range of dwelling types and sizes.

7.46 The policy advises that the Council will seek to secure the following mix of housing as part of all residential developments of 11 dwellings or more although recognises that the final mix achieved on any site will be informed by the location, nature and size of the development site, character of the area, evidence of local housing need, turnover of properties at the local level and local housing market conditions.

	1-bed	2-bed	3-bed	4+ bed
Market	5%	40%	50%	5%
Affordable	40%	35%	20%	5%
All Dwellings	15%	40%	40%	5%

7.47 In allowing outline permission the Local Planning Authority accepted a housing mix that was skewed towards larger house types, based on the viability of the project. The housing mix which fed into the District Valuers assessment indicated, 51 no. two bed roomed dwellings, 79 no. three bed roomed dwellings, 80 no. four bed roomed dwellings and 10 no. five bed roomed dwellings. This mix of housing indicated that the development could not support any level of affordable housing or s106 contributions. Although the number of four bed roomed dwellings, has increased slightly, so have the number of two bed roomed dwellings. Notwithstanding the development that has come forward as part of the parallel full application, the proposed mix housing mix is considered to be acceptable and would not be at significant variance with / undermine the findings of the viability assessment that was undertaken in 2016.

7.48 The development as a whole (this application and the parallel full application) would deliver the following mix:

No. of bedrooms	No. of dwellings
2	69
3	43
4	97
5	11

7.49 Although there is a greater number of 4 and five bed roomed properties, there is a greater number of 2 bed roomed dwellings to compensate for this. The overall housing mix is considered to be acceptable in terms of meeting the long term housing needs of both young people and families.

7.50 Given that the development relates and links to the outline and parallel approval of reserved matters applications, it will be necessary to tie the development to the terms of the s106 agreement secured in respect of the outline permission. This secured provisions in relation to the delivery of commercial floorspace / development and contributions towards highway improvements (£75,000 to be spent in the Matlock Area to mitigate the impact of the development), a traffic regulation order (£7,500 in respect of relocating the 30mph on Matlock Spa Road / Snitterton Road and travel plan (£12,500 to monitor the Travel Plan prepared by PTB Transport Planning Ltd dated 24 June 2014.

7.51 Subject to the application being tied to the obligations secured in respect of the linked outline permission the development would make commensurate contributions and proposes a housing mix that would be acceptable.

***The impact of the development on the residential amenity of the occupants of existing dwellings and future residents;***

- 7.52 Policy PD1 of the Adopted Derbyshire Dales Local Plan (2017) requires that development achieves a satisfactory relationship to adjacent development and does not cause unacceptable effects by reason of visual intrusion, overlooking, shadowing, overbearing effect, noise, light pollution or other adverse impacts on local character and amenity.
- 7.53 Representations have been received from occupants of dwellings forming part of the Gordon Lodge community of 5 properties to the north of the site. The proximity of these dwellings to plot 140 and the potential for overlooking has been raised. The applicant has presented sections through the site and finished floor levels on detailed engineering drawings to indicate that the dwelling will not be prominent. Although the land rises at the northern end of the Quarry towards the Gordon Lodge community, there will be a substantial woodland buffer between these properties and the development. The dwelling on plot 140 will also be a split level dwelling cut into the site, 3m below the level to the north. The distances between the properties and intervening woodland is such that there would not be any loss of privacy or overbearing / overshadowing effects.
- 7.54 In the representations received reference is made to the need for a community liaison group to be formed to ensure that the local community is kept up to date on the build programme and significant construction works to keep any disturbance to a minimum. This is considered to be a reasonable request and can be secured by condition to satisfy the requirement of policy PD1 of the Adopted Derbyshire Dales Local Plan (2017).

***Open space and recreation provision***

- 7.55 Policy HC14 requires new residential developments of 11 dwellings or more to provide or contribute towards public open space and sports facilities. The Adopted Supplementary Planning Document (SPD) on Developer Contributions dated February 2020 supersedes the table in policy HC14 as it is based on the updated study from January 2018.
- 7.56 The SPD sets out the provision per dwelling that is required to meet the identified deficiencies. This is set out in the table below:

Type	Area Requirement Square Metres per dwelling
Parks and Gardens	9.74
Provision for children and young people	1.62
Allotments	3.94

- 7.57 The application seeks permission for 24 dwellings and links to an approval of reserved matters applications, which makes sufficient provision for informal open space and a central park / play area. The limited number of dwellings proposed as part of this application is such that it would be impractical to deliver a modest allotment area, notwithstanding that the quantum of development would fall within the scope of the original outline permission.
- 7.58 There is no requirement to deliver sports facilities on the site, based on the existing outline permission and amount of development and Sport England have not commented in this respect.
- 7.59 The housing mix proposed is therefore considered to be acceptable in accordance with requirements of condition 20 of the outline permission and Policy HC11 of the Adopted Derbyshire Dales Local Plan (2017).

### ***Impact on protected sites, wildlife and ecology***

- 7.60 With regard to protected species and biodiversity impacts Policy PD3 of the Adopted Derbyshire Dales Local Plan (2017) seeks to protect, manage, and where possible enhance the biodiversity and resources of the plan area and its surroundings by ensuring that development proposals will not result in harm to biodiversity. The policy advises that this will be achieved by encouraging development to include measures to contribute positively to the overall biodiversity of the plan area to ensure there is a net overall gain to biodiversity. These provisions are supported by the NPPF, paragraph 174 of which advises that planning decisions should provide net gains for biodiversity.
- 7.61 As can be seen in the consultation comments received from Derbyshire Wildlife Trust the development, when assessed on its merits, would enable the deliver a biodiversity net gain and would be acceptable in terms of habitat creation and wildlife protection subject to conditions.
- 7.62 The development site lies approximately 600m north-west of the Peak District Dales Special Area of Conservation (Matlock Woods), 200m north of Masson Hill SSSI and is adjacent to the south of Cawdor Quarry SSSI. The development was screened in terms of the likely effects under the Habitat Regulations in respect of the outline permission and a Construction Environment Management Plan (CEMP) was secured by condition. Natural England have raised no objections subject to the inclusion of such a condition and have advised that the development will not have likely significant effects on the Peak District Dales Special Area of Conservation and that likely significant effects can be ruled out.
- 7.63 An appropriate assessment is not required in respect of the development. It is not hydrologically connected to the SAC and is physically separated from the SAC by the intervening topography. The features of this unit of the SAC are also immobile, and thus unlikely to be impacted by the proposals.
- 7.64 The proposed development has the potential to impact on the SSSI sites during construction via dust mobilisation, hence the need for a CEMP.
- 7.65 The quarry faces represent the boundary of a regionally important geological site. The development plan seeks to ensure that the development would not harm the geodiversity of such sites. Conditions are recommended to safeguard the faces in this respect.
- 7.66 Taking the above into consideration officers are satisfied that with conditions the development would not adversely impact on protected sites or result in harm to wildlife or biodiversity and would therefore satisfy the relevant provisions of Policy PD3 and national planning policy.

### ***Surface water drainage***

- 7.67 Policies S1 and PD8 of the Adopted Derbyshire Dales Local Plan (2017) 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.
- 7.68 The application is accompanied by a flood risk assessment, which has been updated to take account of urban creep which includes a land drainage strategy. The site is not vulnerable

to flooding, being sited high up on a hillside in flood zone 1. Ground testing rule out infiltration.

7.69 Land drainage pipes exist at the quarry entrance and route a short distance along the top of Cawdor Quarry before discharging across an existing cliff face and into a pond to the north of the site. This replicates the existing run off route from the quarry. In terms of meeting drainage hierarchy requirements, the options that are available include:

- Conversion and improvement of the existing highway drainage along Matlock Spa Road using Section 102:1991 Water industries Act. We have an agreement in principle with DCC Highways to this effect and a commentary of requirements from Severn Trent Water to progress this option is required. The outfall is at the Sainsbury's traffic lights where a 450mm diameter pipe discharges to the Derwent.
- A Connection to the existing combined sewer network in Matlock. We again have a correspondence chain with Keith Baker at STW regarding this option. We understand that a capital scheme is in preparation from STW to uprate its sewer overflows to the Derwent to prevent spill frequency so capacity can be made available.
- The option to requisition a surface water sewer under Section 98-101:1991 Water Industries Act. The most likely scenario would be a discharge to the sewer in Cawdor Quarry with improvements to their controls.

7.70 Discharge rates will be controlled by a sequence of 4 attenuation ponds in a cascade down the reinstated quarry slope. Full design calculations for the sizing of the ponds have been provided up to the 1 in 100 year event plus a 40% allowance for climate change. This is considered to be acceptable by the LLFA and conditions have been recommended accordingly.

7.71 Taking the above into consideration officers are satisfied that the development can be appropriately drainage, is not vulnerable to flooding or would result in flooding elsewhere and is therefore acceptable in respect of the requirements of Policies S1 and PD8 of the Adopted Derbyshire Dales Local Plan and national policy.

### ***Climate change***

7.72 Policies S1 and PD7 of the Adopted Derbyshire Dales Local Plan (2017) 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. Paragraph 126 of Chapter 12 of the National Planning Policy Framework also states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.

7.73 The application is accompanied by a Sustainability Statement which considers the provisions of Policy PD7. It states that the development will adopt the following sustainable features:

- the residential part of the development will follow best practice guidance and aim to reduce the total carbon emissions by 19% over Building Regulations using SAP 10.2 carbon dioxide emission factors;

- The non-domestic part of the development will as a minimum meet carbon emissions reductions demanded by the BREEAM “Very Good” Standard
- Reduce energy consumption by targeting improved U-values and airtightness. Low energy lighting will be specified.
- Implement a site waste management plan and stringent resource efficiency benchmarks.
- Follow best practice policies in terms of air, water and ground pollution and appoint a contractor who will register for the Considerate Constructors Scheme.
- Achieve a water consumption target of 110 litres/person/day for all new homes, through the implementation of water efficiency measures;
- Utilise sustainable transport, including access to public transport and inclusion of cycle storage facilities;
- Minimise embodied carbon through efficient design, procurement of materials from a local source, or with a high-recycled content, where possible.
- Be of high build quality, surpassing the minimum Building Regulations.
- Ensure all materials are responsibly sourced and of low environmental impact where feasible.
- Consider health and wellbeing through design and operational procedures, including daylight, optimum indoor air quality and thermal comfort.
- Protect and enhance the ecological value of the site.

7.74 The above measures would make a contribution towards mitigating the effects of and adapting to climate change. There is no mention of electric charging points or microgeneration. The Local Highway Authority have, however, recommended that an electric vehicle infrastructure strategy and implementation plan, that includes details of the number and location of all electric charging points across the site be secured by condition. With such a condition to encourage and secure electric charging points, the proposals are considered to comply with the requirements of development plan Policy PD7, particularly having regard to the viability of the development. A sustainable urban drainage (SUDs) system will also be delivered which will help attenuate surface water during extreme rainfall events.

### ***Planning balance and conclusion***

7.75 The Council is unable at this time to demonstrate a 5 year housing land supply. Paragraph 11 d) of the National Planning Policy Framework and the tilted balance in favour of the development is therefore engaged.

7.76 The site is sustainably located and already allocated for housing and commercial development in the Adopted Derbyshire Dales Local Plan (2017).

7.77 The development would make a positive contribution towards housing delivery, and in conjunction with the parallel approval of reserved matters application 20/00308/REM and conditions (restricting the commercial building to use class E(g) only) will deliver the strategic site allocation.

7.78 The development would deliver high quality and well-designed development within a former quarry, will not adversely impact on the local landscape, adversely prejudice the wildlife interests of the site and subject to implementation of the green infrastructure and landscaping strategy result in a biodiversity net gain. Although the development would not deliver any affordable dwellings, which is a negative, this can be justified based on the viability of the quantum of development approved and abnormal costs associated with developing a site of this nature. The development would however deliver a mix of housing that would be available to young people and families and help meet the long term housing needs of the district.



- 7.79 In addition to the commercial development, it will provide additional economic and social benefits during construction and occupation, however these benefits are not exceptional and to a large degree would be commensurate with any residential and commercial development.
- 7.80 The development incorporates a sustainable urban drainage system and will include measures to help mitigate the effects of and adapt to climate change.
- 7.81 With conditions, which repeat some the environmental controls in relation the outline permission and conditions to secure high design quality and landscaping and a linking agreement to tie the development to the terms of the planning obligations and requirements in respect of outline permission 14/00541/OUT and biodiversity net gain, the development would deliver the policy aspirations of the Adopted Derbyshire Dales Local Plan (2017). As the development can only be carried out in conjunction with the associated outline and approval of reserved matters application it will be necessary to tie the commencement of the permission to this consent.
- 7.82 When all material considerations are weighted, the balance lies in favour of the development (with or without the tilted balance in favour) and a recommendation of approval is put forward on this basis.

## **8 RECOMMENDATION:**

That authority be delegated to officers to grant planning permission, following the completion of a linking agreement or deed of variation to tie the development to the terms of the s106 agreement secured in respect of outline permission 14/00541/OUT and to secure the long term delivery of biodiversity net gain and subject to the following conditions:

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

Reason:

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

2. The development hereby permitted shall not be carried out except in complete accordance with the following amended plans and documents:

Block Y - GA Elevations - 21-009\_L(00)\_3751 Rev C  
Block Y - GA Elevations - 21-009\_L(00)\_3752 Rev C  
C1 Commercial Unit 01 - GA Elevations - 21-009\_L(00)\_3911  
The Cabins - GA Elevations - HAL-ARC-B1-XX-DE-A-3706  
Unit Type 03\_B - GA Elevations - HAL-ARC-B1-XX-DE-A-3757  
Unit Type 04 - GA Elevations 21-009\_L(00)\_304  
Unit Type 05\_B - GA Elevations - HAL-ARC-B1-XX-DE-A-3759  
Unit Type 16\_B - GA Elevations - HAL-ARC-B1-XX-DE-A-3766  
Unit Type 17\_B - GA Elevations -HAL-ARC-B1-XX-DE-A-3767  
Unit Type 101 - GA Elevations - 21-009\_L(00)\_3201  
Unit Type 106 - GA Elevations - 21-009\_L(00)\_3251A  
Unit Type 106 - GA Elevations - 21-009\_L(00)\_3252A  
Unit Type 107 - GA Elevations - Option 1 HAL-ARC-B1-XX-DE-A-3754  
Unit Type 107 - GA Elevations - Option 2 HAL-ARC-B1-XX-DE-A-3755  
Unit Type 108 - GA Elevations - 21-009\_L(00)\_3271  
Unit Type 108 - GA Elevations - 21-009\_L(00)\_3272  
All associated building type floor plans;

Site Location Plan - 21-009\_PL\_001  
Proposed Site Plot Plan -21-009\_PL\_003 Rev B  
Footpaths Markup  
Tree Fencing Markup  
Design and Access Statement - DAS\_REVF  
Engineering Layout Plan Sheet 1 of 4 - E788-10 Rev D  
Engineering Layout Plan Sheet 2 of 4 - E788-11 Rev D  
Engineering Layout Plan Sheet 3 of 4 - E788-12 Rev D  
Engineering Layout Plan Sheet 4 of 4 - E788-13 Rev D  
Road and Sewer Long Sections Sheet 1 of 4 - E788-20-01 C  
Road and Sewer Long Sections Sheet 2 of 4 - E788-20-02 C  
Road and Sewer Long Sections Sheet 3 of 4 - E788-20-03 D  
Road and Sewer Long Sections Sheet 4 of 4 - E788-20-04 D  
Vehicle Tracking-1 of 2 E788-15-01B  
Vehicle Tracking-2 of 2 E788-15-02B  
Site Cross Sections Location Plan e788-08a  
Site Cross Sections Sheet 1 of 8 -E788-22-01 B  
Site Cross Sections Sheet 2 of 8 - E788-22-02 B  
Site Cross Sections Sheet 3 of 8 - E788-22-03 B  
Site Cross Sections Sheet 4 of 8 - E788-22-04 B  
Site Cross Sections Sheet 5 of 8 - E788-22-05 B  
Site Cross Sections Sheet 6 of 8 - E788-22-06 B  
Site Cross Sections Sheet 7 of 8 - E788-22-07 B  
Site Cross Sections Sheet 8 of 8 -E788-22-08 B  
Technical Note 2, Traffic Generation T21505 TN2 rev A  
Green Infrastructure Plan 23.1745.002 Rev B (26.09.23)  
Landscape Strategy 23.1745.001 Rev B (26.09.23)  
Biodiversity Metric 4.0 Calculation Tool September 2023 Rev 5  
Waste Management Strategy 21-009\_PL\_050  
Waste Management Strategy 21-009\_PL\_051  
Waste Management Strategy 21-009\_PL\_052  
Crime Prevention Statement 21-009 - Crime Prevention Statement  
Sustainability Statement  
Flood Risk Assessment V3 Halldale FRA 11-08-23  
BNG Report 1310.SR.22 Revision 1 - BNG Calculations at Halldale Quarry (Four Areas) - Report  
S106 / viability note

For the avoidance of doubt and to establish the scope of the permission granted.

3. An electric vehicle infrastructure strategy and implementation plan shall be submitted to and approved in writing by the Local Planning Authority prior to the first use of any commercial building hereby permitted. The plan shall contain details of the number, specification and location of all electric vehicle charging points shall comply with BS EN 62196 Mode 3 or 4 charging and BS EN 61851, and Derbyshire Highway Design Guide. Buildings and parking spaces that are to be provided with charging points shall not be brought into use until associated charging points are installed in strict accordance with approved details and are operational. The charging point installed shall be retained thereafter unless replaced or upgraded to an equal or higher specification.

Reason:

To promote sustainable travel and healthy communities in accordance with the requirements of Policies S1, PD7 and HC19 of the Adopted Derbyshire Dales Local Plan (2017).

4. No part of the development hereby approved shall be occupied until the applicant has submitted a revised Travel Plan in writing to the Local Planning Authority that promotes sustainable forms of travel to the development site and this has been approved in writing by the Local Planning Authority. The submitted details shall use Modeshift STARS Business to carry out this process and include mechanisms for monitoring and review over the life of the development and timescales for implementation. The approved Travel Plan shall be implemented, monitored and reviewed in accordance with the approved details.

Reason:

To reduce vehicle movements and promote sustainable access in accordance with the requirements of Policy HC20 of the Adopted Derbyshire Dales Local Plan (2017).

5. The development hereby approved shall not be occupied until the applicant has submitted to and had approval in writing from the Local Planning Authority a residential welcome pack promoting sustainable forms of access to the development. The pack shall be provided to each resident at the point of the first occupation of the dwelling.

Reason:

To reduce vehicle movements and promote sustainable access in accordance with the requirements of Policy HC20 of the Adopted Derbyshire Dales Local Plan (2017).

6. Prior to works commencing on the construction of any building or associated with the removal or transfer of material to or from the site a construction management plan shall be submitted to and approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the construction period. The plan/statement shall include but not be restricted to:

- Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- Advisory routes for construction traffic;
- Any temporary access to the site;
- Locations for loading/unloading and storage of plant, waste and construction materials;
- Method of preventing mud and dust being carried onto the highway;
- Arrangements for turning vehicles;
- Arrangements to receive abnormal loads or unusually large vehicles;
- Highway Condition survey;
- Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

Reason:

In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development in accordance with the aims of Policy HC19 and PD9 of the Adopted Derbyshire Dales Local Plan (2017).

7. a) No development shall take place within 10m of the lead mining shafts which appear on the ordnance Survey map of c1895 until a Written Scheme of Investigation for archaeological work has been submitted to and approved by the local planning authority in writing, and until any pre-start element of the approved scheme has been completed to the written satisfaction of the local planning authority.

The scheme shall include an assessment of significance and research questions; and

1. The programme and methodology of site investigation and recording

2. The programme for post investigation assessment
3. Provision to be made for analysis of the site investigation and recording
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
5. Provision to be made for archive deposition of the analysis and records of the site investigation
6. Nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation.

b) No development shall take place other than in accordance with the archaeological Written Scheme of Investigation approved under condition (a).

c) The development shall not be occupied until the site investigation and post investigation reporting has been completed in accordance with the programme set out in the archaeological Written Scheme of Investigation approved under condition (a) and the provision to be made for publication and dissemination of results and archive deposition has been secured.

Reason:

To safeguard the identification and recording of features of historic and/or archaeological interest associated with the site in accordance with the aims of Policy PD2 of the Adopted Derbyshire Dales Local Plan (2017).

8. No building within 50m of a quarry face shall be occupied / brought into use until a competent person has assessed the integrity of the faces and verified in a report that they are safe. The report and details of any stabilisation works required and timetable for completion of works shall be submitted to and approved by the Local Planning Authority before the first occupation of any building within the 20m buffer zone.

Reason:

To ensure the stability of the quarry faces and a safe environment in accordance with the requirements of Policy PD9 of the Adopted Derbyshire Dales Local Plan (2017)

9. Details of all external lighting (street lighting and lighting to private property) shall be submitted to and approved in writing by the Local Planning Authority prior to erection / installation.

Reason:

To minimise the impact of the development on the local landscape in accordance with the aims of Policy PD5 of the Adopted Derbyshire Dales Local Plan (2017).

10. Prior to the construction of any building details of the phasing of the development and construction timetable and delivery of landscaping (hard and soft) in respect of each development phase shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason:

To ensure a satisfactory appearance of the development in accordance with the aims of Policies S3 and PD1 of the Adopted Derbyshire Dales Local Plan (2017).

11. Prior to works commencing on the superstructure of any building hereby approved the following construction details shall be submitted to an approved in writing by the Local Planning Authority:
- Details, including samples of all materials, which shall include natural stone and a complementary buff brick in the case of the walling materials to be used and their distributions across the development phase;
  - 2 sq. m sample panel of the stone and brick;
  - Construction details of any porches and dormers;
  - Window and door recess;
  - Window and door details, including design, pattern, material and colour;
  - Stonework details, including verge copings, kneelers, cornices, quoins, string courses, heads and cills, window surrounds;
  - Chimney stacks and pots;

Each building shall thereafter be fully constructed in accordance with the approved details prior to first use.

Reason:

To ensure a satisfactory appearance of the development and to ensure the provision of measures to design out crime in accordance with the aims of Policies S3 and PD1 of the Adopted Derbyshire Dales Local Plan (2017).

12. In conjunction with the requirements of condition 10, details of surface treatment materials to all roads and areas of hardstanding across the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason:

To ensure a satisfactory appearance of the development in accordance with the aims of Policies S3 and PD1 of the Adopted Derbyshire Dales Local Plan (2017).

13. The finished levels for each building shall not exceed those set out in Engineering Layout Plan drawings numbered E788-10 Rev D, E788-11 Rev D, E788-12 Rev D and E788-13 Rev D.

Reason:

To ensure that the development has a minimal impact on the local landscape to satisfy the requirements of Policy PD5 of the Adopted Derbyshire Dales Local Plan (2017).

14. Notwithstanding the submitted details a detailed tree retention and protection plan, which follows the parameters of the approved Green Infrastructure Plan and Landscaping Strategy and details of construction methods and new tree planting, in terms of tree species, sizes and numbers shall be submitted to and approved in writing by the Local Planning Authority prior to works commencing on the construction of any building hereby approved.

Reason:

For the avoidance of doubt and to ensure a satisfactory standard of landscaping in accordance with the aims of Policies PD1 and PD5 of the Adopted Derbyshire Dales Local Plan (2017).

15. Prior to first occupation of any building details of the legal and funding mechanism for maintenance and management of all roads and public open space, including surface water attenuation features shall be submitted to and approved in writing by the Local Planning Authority. The public open space and roads shall thereafter be maintained and managed in accordance with the approved details.

Reason:

To ensure a satisfactory standard of landscaping and maintenance of roads and public open space in accordance with the aims of Policies PD1 and PD5 of the Adopted Derbyshire Dales Local Plan (2017).

16. Prior to works commencing on the construction of any building or associated with the regrading of land or removal or transfer of material to or from the site details setting out how the local community will be kept up to date and informed about the build programme and any significant construction works and a mechanism to report and resolve any issues shall be submitted to any approved in writing by the Local Planning Authority. The construction / development shall thereafter be undertaken and managed in accordance with the approved details.

Reason:

In the interest of minimising disturbance to the local residents in accordance with the aims of Policies PD1 and PD9 of the Adopted Derbyshire Dales Local Plan (2017).

17. Prior to the commencement of development (including vegetation clearance, site preparation works and the introduction of machinery and materials), a Great Crested Newt Mitigation Strategy shall be submitted to and approved in writing by the Local Planning Authority. This shall confirm any requirement for a new mitigation licence and detail any precautionary working measures that are required during site clearance or ongoing construction works. The agreed Strategy shall be implemented in full.

Reason:

To safeguard wildlife and the biodiversity on site in accordance with the requirements of Policy PD3 of the Adopted Derbyshire Dales Local Plan (2017).

18. Prior to any works to the eastern quarry faces or construction in adjacent areas, the faces shall be assessed by a suitably qualified ecologist to update the existing information with regards to roosting bats. If any potential roost features are identified, the appropriate level of survey effort shall be undertaken to inform any necessary mitigation or licensing, based on the most up to date best practice guidance. A report shall be submitted to the Local Planning Authority detailing the results of the assessment and any survey work, and setting out a mitigation strategy which shall consider direct impacts, such as stabilisation works, and indirect impacts, such as lightspill. The mitigation strategy shall thereafter be implemented in full.

Reason:

To safeguard wildlife and the biodiversity on site in accordance with the requirements of Policy PD3 of the Adopted Derbyshire Dales Local Plan (2017).

19. Prior to any works to the existing onsite block-built building (Target Note 1 in the ecological report by Morph Ecological Consultants), an updated building assessment and any subsequent nocturnal bat surveys shall be undertaken, in accordance with best practice guidance. The results shall inform a detailed mitigation strategy and timetable and identify

any requirement for licensing. These details shall be submitted to the Local Planning Authority for approval and implemented in full.

Reason:

To safeguard wildlife and the biodiversity on site in accordance with the requirements of Policy PD3 of the Adopted Derbyshire Dales Local Plan (2017).

20. No development shall take place (including demolition, ground works, vegetation clearance and movement of plant, machinery and materials) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.
- a) Risk assessment of potentially damaging construction activities.
  - b) Identification of “biodiversity protection zones”.
  - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction.
  - 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.
  - 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 otherwise agreed in writing by the local planning authority.

Reason:

To ensure no adverse impact on protected sites and to safeguard wildlife and the biodiversity on site in accordance with the requirements of Policy PD3 of the Adopted Derbyshire Dales Local Plan (2017).

21. A Landscape and Biodiversity Enhancement and Management Plan (LBEMP) shall be submitted to, and be approved in writing by, the LPA prior to the commencement of the development. The aim of the LBEMP is to provide details for the creation, enhancement and management of habitats and species on the site post development, in accordance with the proposals set out in the submitted Biodiversity Metric 4.0 (Halldale Quarry September 2023 Rev 5). 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 at intervals of 1, 2, 3, 4, 5, 10, 15, 20, 25 and 30 years.
  - h) Monitoring reports to be sent to the Council at each of the intervals above

- i) A set of remedial measures to be applied if conservation aims and objectives of the plan are not being met.
- j) Detailed habitat enhancements for wildlife, in line with British Standard BS 42021:2022.
- k) Details of offset gullies and drop kerbs in the road network to safeguard amphibians.
- l) Detailed specifications for open water habitats to provide biodiversity benefits.
- m) 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:

To safeguard wildlife and the biodiversity on site in accordance with the requirements of Policy PD3 of the Adopted Derbyshire Dales Local Plan (2017).

22. No development associated with the construction of any building shall take place 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 and Drainage Strategy Revision V3 Dated 11/08/2023 prepared by STEPHEN DAYKIN CONSULTING Ltd "including any subsequent amendments or updates to those documents as approved by the Flood Risk Management Team"

b. And 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.

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, in advance of full planning consent being granted to comply with the aims of Policy PD8 of the Adopted Derbyshire Dales Local Plan (2017).

23. Prior to any excavation works taking place or development associated with the construction of any building, the applicant shall submit for approval to the Local planning Authority details indicating how additional surface water run-off from the site will be avoided during the construction phase. 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 to comply with the aims of Policy PD8 of the Adopted Derbyshire Dales Local Plan (2017).

24. 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 C/RIA standards C753 to comply with the aims of Policy PD8 of the Adopted Derbyshire Dales Local Plan (2017).

25. An integral swift nest box plan for the selection, siting, positioning and installation of integral swift nest boxes, such as swift bricks incorporated within the external walls of the dwellings hereby approved, should be submitted to, and approved in writing by, the local planning authority.

The integral swift nest box plan should be prepared in accordance with the requirements of BS 42021 or equivalent best practice guidance and should identify, as a minimum:

- a) the type and number of integral nest boxes to be installed;
- b) the specific buildings on the development into which boxes are to be installed, shown on appropriate scale drawings;
- c) the location on each building where boxes are to be installed, shown on appropriate building plans and elevations.

A statement of good practice including photographs shall be submitted to the Local Planning Authority prior to first occupation of the dwellings, demonstrating that the boxes have been selected and installed in accordance with BS42021.

The integral nest box plan should be implemented in accordance with the approved details and all boxes shall be retained in that manner thereafter.

Reason:

To safeguard wildlife and the biodiversity on site in accordance with the requirements of Policy PD3 of the Adopted Derbyshire Dales Local Plan (2017).

26. No site clearance work shall take place between 1st March and 31 August inclusive, unless a competent ecologist has undertaken a careful detailed check of the site for active birds' nests immediately before work is commenced and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason:

To safeguard wildlife and the biodiversity on site in accordance with the requirements of Policy PD3 of the Adopted Derbyshire Dales Local Plan (2017).

27. Notwithstanding the provisions of the Town and Country Planning (Uses Classes) Order 1987 (as amended), (or any Order revoking or re-enacting that Order with or without modifications), the commercial buildings hereby approved shall be used for E(g) use only and for no other purpose, including any other activity within the same E commercial use class of the schedule to that Order.

Reason:

To ensure the delivery of employment development to meet the districts employment needs and to satisfy the requirements of Policy DS5 of the Adopted Derbyshire Dales Local Plan (2017).

28. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or in any Statutory Instrument revoking or re-enacting that Order with or without modification) no buildings, structures, extensions, fences, gates, walls or other means of enclosure shall be erected within the curtilage of the dwellings on plots 218-220 or 149 without the prior written approval of the Local Planning Authority upon an application submitted to it.

Reason:

To preserve the appearance of the development given the prominent siting of the plots in accordance with the aims of policy PD1 of the Adopted Derbyshire Dales Local Plan (2017).

29. Prior to the occupation of any building a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

i) A preliminary risk assessment which has identified:

- All previous uses
- Potential contaminants associated with those uses
- A conceptual model of the site indicating sources, pathways and receptors
- Potentially unacceptable risks arising from contamination at the site

ii) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site

iii) The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

iv) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action

Any changes to these components require the express written consent of the Local Planning Authority. The scheme shall be implemented as approved.

30. No works of construction shall take place on the site outside of the following hours:

Monday to Friday	07.30 to 20.00
Saturday	08.00 to 13.00
Sunday/Bank Holidays	No construction.

Reason:

To align with the controls in respect of the associated outline permission and to safeguard the residential amenity of the occupants of nearby dwellings in accordance with the aims of Policy PD1 and PD9 of the Adopted Derbyshire Dales Local Plan (2017).

31. No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).

If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

No equipment, machinery or materials shall be brought on to the site for the purpose of the development, until a scheme showing the exact position of protective fencing to enclose all retained trees beyond the outer edge of the overhang of their branches in accordance with British Standard 5837 (2005): Trees in Relation to Construction, has been submitted to and approved in writing by the Local Planning Authority, and; the protective fencing has been erected in accordance with the approved details. This fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local Planning Authority.

In this condition 'retained tree' means an individual existing tree, or identified tree protection zone, which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) above shall have effect until the expiration of five years from the first occupation or the completion of the development, whichever is the later.

Reason:

To ensure a satisfactory standard of landscaping in accordance with the aims of Policies PD1 and PD5 of the Adopted Derbyshire Dales Local Plan (2017).

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

Reason:

To ensure a satisfactory standard of landscaping in accordance with the aims of Policies PD1 and PD5 of the Adopted Derbyshire Dales Local Plan (2017).

- 33 The carriageways and footways shall be constructed up to and including binder course surfacing to ensure that each dwelling, prior to occupation, has a properly consolidated and surfaced carriageway and footway, between the dwelling and the existing public highway. Until final surfacing is completed, the footway binder course shall be provided in a manner to avoid any upstands to gullies, covers or other such obstructions within or abutting the footway. The carriageways, footways and footpaths in front of each dwelling shall be completed with final surface course within twelve months (or three months in the case of a shared surface road) from the occupation of such dwelling, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

In the interests of highway safety in accordance with the aims of Policies S3 and HC19 of the of the Adopted Derbyshire Dales Local Plan (2017).

- 34 No dwelling shall be occupied until space has been provided within the site curtilage/plot for the parking and manoeuvring of residents and visitors' vehicles associated with that dwelling, together with secure cycle parking, all to be laid out, constructed and approved in writing by the Local Planning Authority. The facilities shall be retained throughout the life of the development free from any impediment to their designated use.

Reason:

In the interests of highway safety and to ensure appropriate parking provision in accordance with the aims of Policies S3, HC19 and HC21 of the of the Adopted Derbyshire Dales Local Plan (2017).

35. Within 28 days of the permanent access being constructed, or other such period of time as may be agreed with the Local Planning Authority, all other means of access to Matlock Spa Road/Snitterton Road (existing or temporary) shall be permanently closed and the existing vehicle crossover(s) reinstated with full height kerbs and appropriate footway/verge construction in accordance with a scheme first submitted to and approved in writing by the Local Planning Authority.

Reason:

In the interests of highway safety in accordance with the aims of Policies S3 and HC19 of the of the Adopted Derbyshire Dales Local Plan (2017).

36. Prior to the first occupation of any building of the arrangements for the storage of bins and collection of waste shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details and the facilities retained for the designated purposes at all times thereafter.

Reason:

In the interests of highway safety in accordance with the aims of Policies S3 and HC19 of the of the Adopted Derbyshire Dales Local Plan (2017).

37. The access associated modification works to Matlock Spa Road/Snitterton Road shall be laid out, constructed, drained and lit in accordance with the approved details prior to occupation of any dwelling it serves. For the avoidance of doubt the developer will be required to enter into a Highways Act 1980 Agreement (Section 278) with the Highway Authority in order to comply with the requirements of this condition.

Reason:

In the interests of highway safety in accordance with the aims of Policies S3 and HC19 of the of the Adopted Derbyshire Dales Local Plan (2017).

## **INFORMATIVES**

The Local Planning Authority have during the consideration of this application engaged in a positive and proactive dialogue with the applicant which has resulted in revised proposals

which overcame initial problems with the application relating to the layout, scale and appearance of the development.

The applicant should note that under the terms of the Wildlife and Countryside Act 1981 and Countryside and Rights of Way Act 2000, it is an offence to disturb nesting birds or roosting bats. You should note that the work hereby granted consent does not override the statutory protection afforded to these species and you are advised to seek expert advice if you suspect that the demolition would disturb any protected species. For further advice, please contact Natural England.

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.

The applications attention is drawn to the Lead Local Flood Authority's advisory notes in respect of conditions 22 - 24.