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12 December 2017

To: All Councillors

As a Member or Substitute of the **Planning Committee**, please treat this as your summons to attend a meeting on **Wednesday 20 December 2017 at 6.00pm in the Council Chamber, Town Hall, Matlock DE4 3NN**

Yours sincerely



Sandra Lamb
Head of Corporate Services

AGENDA

SITE VISITS: The Committee is advised a coach will leave the Town Hall, Matlock at 2.20pm prompt. A schedule detailing the sites to be visited is attached to the Agenda.

1. APOLOGIES/SUBSTITUTES

Please advise the Committee Team on 01629 761133 or e-mail committee@derbyshiredales.gov.uk of any apologies for absence and substitute arrangements.

2. APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING

Planning Committee – 12 December 2017

3. INTERESTS

Councillors are required to declare the existence and nature of any interests they may have in subsequent agenda items in accordance with the District Council's Code of Conduct. Those Interests are matters that relate to money or that which can be valued in money, affecting the Councillor, her/his partner, extended family and close friends. Interests that become apparent at a later stage in the proceedings may be declared at that time.

4. APPLICATIONS FOR DETERMINATION

Please note that for the following items, references to financial, legal and environmental considerations and equal opportunities and disability issues will be embodied within the text of the report, where applicable.

PUBLIC PARTICIPATION

To provide members of the public **WHO HAVE GIVEN PRIOR NOTICE** (by no later than 12 Noon on the working day prior to the meeting) with the opportunity to express views, ask questions or submit petitions relating to planning applications under consideration. Representations will be invited immediately before the relevant item of business/planning application is discussed. Details of the Council's Scheme are reproduced overleaf. To register to speak on-line, please click here www.derbyshiredales.gov.uk/attendameeting. Alternatively email committee@derbyshiredales.gov.uk or telephone 01629 761133.

	Page No.
4.1 APPLICATION NO. 16/00923/OUT (Site Visit)	5 - 58
Revised scheme - Development of 487 dwellings, 2800m ² commercial floor space (Class B1), shop and cafe, with associated vehicle, cycle and pedestrian infrastructure (Outline) at Cawdor Quarry, Permanite Works and part of Snitterton Fields, Matlock Spa Road, Matlock.	
4.2 APPLICATION NO. 17/00294/FUL (Site Visit)	59 - 75
Erection of 79 dwellings and 235 sq. m retail (Class A1) unit with associated vehicle, cycle and pedestrian infrastructure at former Cawdor Quarry site Snitterton Road, Snitterton, Matlock.	

Members of the Committee

Councillors Garry Purdy (Chairman), Sue Bull (Vice Chairman),

Jason Atkin, Sue Burfoot, Albert Catt, Tom Donnelly, Graham Elliott, Richard FitzHerbert, Tony Millward BEM, Tony Morley, Lewis Rose, Peter Slack and Joanne Wild

Nominated Substitute Members

Martin Burfoot, Ann Elliott, Helen Froggatt, Chris Furness, Neil Horton, Vicky Massey-Bloodworth, Dermot Murphy, Jean Monks, Joyce Pawley, Mark Salt, Andrew Statham and John Tibenham.

PUBLIC PARTICIPATION

Members of the public may make a statement, petition or ask questions relating to planning applications or other agenda items in the non-exempt section of an agenda at meetings of the Planning Committee. The following procedure applies.

- a) Public Participation will be limited to one hour per meeting, with the discretion to extend exercised by the Committee Chairman (in consultation) in advance of the meeting. On line information points will make that clear in advance of registration to speak.
- b) Anyone wishing to make representations at a meeting must notify the Committee Section before Midday on the working day prior to the relevant meeting. At this time they will be asked to indicate to which item of business their representation relates, whether they are supporting or opposing the proposal and whether they are representing a town or parish council, a local resident or interested party.
- c) Those who indicate that they wish to make representations will be advised of the time that they need to arrive at the meeting venue so that the Committee Clerk can organise the representations and explain the procedure.
- d) Where more than 2 people are making similar representations, the Committee Administrator will seek to minimise duplication, for instance, by establishing if those present are willing to nominate a single spokesperson or otherwise co-operate in the presentation of their representations.
- e) Representations will only be allowed in respect of applications or items which are scheduled for debate at the relevant Committee meeting,
- f) Those making representations will be invited to do so in the following order, after the case officer has introduced any new information received following publication of the agenda and immediately before the relevant item of business is discussed. The following time limits will apply:

Town and Parish Councils	3 minutes
Objectors	3 minutes
Ward Members	5 minutes
Supporters	3 minutes
Agent or Applicant	5 minutes

- g) After the presentation it will be for the Chairman to decide whether any points need further elaboration or whether any questions which have been raised need to be dealt with by Officers
- j) The relevant Committee Chairman shall exercise discretion during the meeting to rule out immediately any comments by participants that are not directed to genuine planning considerations.

SITE VISITS

Members are advised of the need for stout footwear.

Members will leave the Town Hall, Matlock at **2.20pm prompt** for the following site visits:

	Page No.
2.30pm APPLICATION NO. 16/00923/OUT	5 - 58
CAWDOR QUARRY, MATLOCK SPA ROAD, MATLOCK	
At the request of Officers to appreciate the site context, its relationship with the boundary of the National Park and heritage assets in Snitterton.	
2.30pm APPLICATION NO. 17/00294/FUL	59 - 75
FORMER CAWDOR QUARRY, SNITTERTON ROAD, MATLOCK	
At the request of Officers to appreciate the site context, its relationship with the boundary of the National Park and heritage assets in Snitterton.	
3.30pm RETURN TO TOWN HALL, MATLOCK.	

COMMITTEE SITE MEETING PROCEDURE

The purpose of the site meeting is to enable the Committee Members to appraise the application site. The site visit is not a public meeting. No new drawings, letters of representation or other documents may be introduced at the site meeting. The procedure will be as follows:

1. A coach carrying Members of the Committee and a Planning Officer will arrive at the site as close as possible to the given time and Members will alight (weather permitting)
2. A representative of the Town/Parish Council and the applicant (or representative can attend.
3. The Chairman will ascertain who is present and address them to explain the purpose of the meeting and sequence of events.
4. The Planning Officer will give the reason for the site visit and point out site features.
5. Those present will be allowed to point out site features.
6. Those present will be allowed to give factual responses to questions from Members on site features.
7. The site meeting will be made with all those attending remaining together as a single group at all times.
8. The Chairman will terminate the meeting and Members will depart.
9. All persons attending are requested to refrain from smoking during site visits.

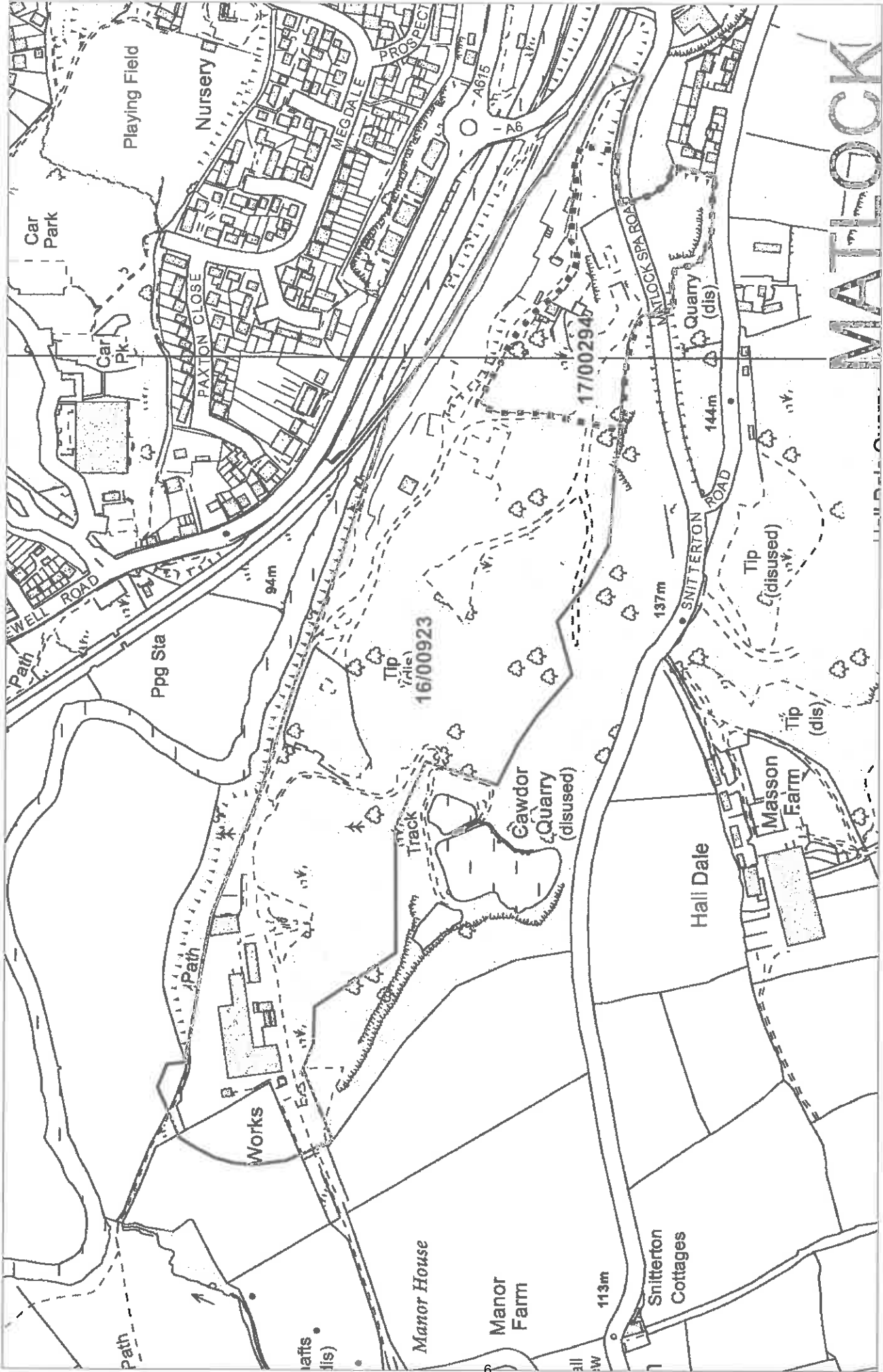
APPLICATION NUMBER		16/00923/OUT	
SITE ADDRESS:		Cawdor Quarry, Permanite Works And Part Of Snitterton Fields, Matlock Spa Road, Matlock	
DESCRIPTION OF DEVELOPMENT		Revised scheme - Development of 487 dwellings, 2800m ² commercial floorspace (Class B1), shop and cafe, with associated vehicle, cycle and pedestrian infrastructure (outline)	
CASE OFFICER	Mr. J. Bradbury	APPLICANT	Groveholt Limited
PARISH/TOWN	Matlock	AGENT	Savills
WARD MEMBERS	Cllr. S. Burfoot Cllr. M. Burfoot Cllr. A. Elliott	DETERMINATION TARGET	10 th April 2017
REASON FOR DETERMINATION BY COMMITTEE	Major application	REASON FOR SITE VISIT (IF APPLICABLE)	In order to appreciate the extent of the application site and assess impacts on National Park and Heritage Assets

MATERIAL PLANNING ISSUES

- Site history
- Policy context
- Location of site and contribution to housing supply
- Viability, community infrastructure and affordable housing
- Impact of development on countryside / landscape
- Impact on setting of National Park
- Impact on heritage assets
- Housing mix and design in context
- Impact on highway network
- Wildlife / ecology
- Phasing of scheme and delivery of employment provision
- Infrastructure Contributions / Section 106 requirements

RECOMMENDATION

Approval



1. THE SITE AND SURROUNDINGS

- 1.1 The application site comprises of the remainder of the former quarry at Cawdor Quarry, the recently vacated Permanite industrial site at its western end and open fields to the west of the Permanite site. The extent of the proposed development site has been reduced during the consideration of the application to incorporate only a portion of the field nearest to Permanite.
- 1.2. To the east of the quarry is Sainsburys supermarket and its car park. To the north is the railway line utilised by Peak Rail and the River Derwent. Matlock Spa Road and Snitterton Road run to the south, but the site also incorporates a small parcel of land to the south of the Spa Road, a former part of the quarry, which sits to the west of and below the recently constructed houses at Limestone Croft.
- 1.3. The former Permanite Works lie to the immediate north-west of the quarry. A number of disused buildings are present on site constructed in a range of materials. A public footpath lies immediately to the north of this beyond which is a tree covered embankment and riverside pasture land.
- 1.4. The main body of the quarry has two distinct levels. The lower level is served by the access road to Permanite and this has remnants of industrial buildings. A relatively steep embankment and small sections of rock face separate this from the upper level whose level has been partially raised by deposited material. This upper level has a tall rock face to its south, which extends round in a westerly direction from Matlock Spa Road. The rock face and ponds in the south-west corner of the site are designated as a Site of Special Scientific Interest. The remaining upper section of the quarry is designated as a local wildlife site and is typified by self-set vegetation on the deposited material / quarry surface but has a distinct copse of woodland at its western end.
- 1.5. The small portion of the quarry to the south of the access road also has a rock face as its southern backdrop. To the south of the junction of Matlock Spa Road with Snitterton Road is Halldale Quarry.
- 1.6. The farmland to the west of the site rises from north to south. It sits either side of an access track which leads out to Snitterton. The northernmost field has the shallowest gradient whilst the southernmost field which has been deleted from the scheme rises more steeply up to Snitterton Road. The western boundary of the quarry is currently enclosed with a screen of vegetation.
- 1.7. Snitterton Hall, a Grade I listed building, lies approximately 600m to the west of the Quarry. The hamlet that surrounds it also contains the Grade II Listed Manor Farmhouse and Hall Gardens. In addition a moated site and fishponds which are Scheduled Ancient Monuments are located to the west of Snitterton Road approximately 300m to the west of the Permanite site.

2. DETAILS OF THE APPLICATION

- 2.1. The application has been modified during the course of consideration in response to the comments of consultees and the findings of the Independent Viability Assessment. The application, in its modified form, seeks outline planning permission for the construction of 487 dwellings, 2800m² of commercial floorspace (Class B1), a shop and café with associated vehicle, cycle and pedestrian infrastructure. The application seeks approval of all reserved matters with the exception of landscape and, therefore, approval is sought for the access, appearance, layout and scale of development proposed.

- 2.2. The main body of the scheme will be served by two points of vehicular access from Matlock Spa Road. The easternmost access will join the Spa Road in the location of the current Permanite access. The westernmost point of access will be approximately 100m to the west where the Spa Road levels out north of the existing rock outcrop. Both roads run south-east to north-west and create a loop road with the roads meeting at the former Permanite site. The pocket of development that extends into Snitterton Fields is a smaller spur road leading from this to the west and spur roads run off this main loop in both directions.
- 2.3. The redevelopment of the quarry involves dealing with contamination and extensive landscape remodelling and land stabilisation because of the tipped nature of material within it. The application is accompanied by extensive reports on these issues which have been shared with consultees but it is important to give a summary as to the nature of this remodelling of the quarry from east to west at key points.
- 2.4. The easternmost end of the site will accommodate the first phase of the development at the upper level and housing and industrial development at the lower level. The sections submitted shows that some build-up of the ground is necessary immediately to the north of Matlock Spa Road as you enter the site immediately to the south of the existing Permanite access road with gabion wall structures. The lower level of the quarry will also be raised slightly at this point and graded out in a northerly direction.
- 2.5. Moving westerly beyond the initial gateway phase of development in order to create a development platform the upper section of the site will be built up above existing levels creating a steeper embankment to the lower sections. The lower section then has housing set down below the existing site level to the north of the access road with industrial development on a raised land level of 1.5 – 2m above existing ground levels.
- 2.6. Moving west, the finished land level on the upper section will be slightly below existing levels, the embankment follows the existing contour and the lower section of the quarry is built up below the embankment and again the level is raised slightly near the northern boundary. The embankment between the lower and upper levels at this point involves a level change of approximately 10m.
- 2.7. Moving west again and roughly half way across the width of the quarry more extensive remodelling is required. By this point the upper section of housing can be accommodated at existing site levels but the existing embankment will have to be modified significantly to create a workable lower section. At its deepest, approximately 6m will be excavated and the embankment remodelled. By the time the northern boundary is reached the development will occur at existing land levels.
- 2.8. Moving west the main access road sweeps down behind the existing copse of trees. The land levels here will be modified to create a workable building platform. To the west of this road a new cul-de-sac will be created on land which rises slightly from east to west.
- 2.9. Moving west again to the main body of the Permanite site, development here will be built out largely at existing site levels. The same would apply to the development identified at Snitterton Fields whose land level is contiguous with Permanite.

2.10. The housing mix for the revised scheme is as follows:-

One bedroom flats	9
Two bedroom flats	87
Two bedroom houses	130
Three bedroom flats	2
Three bedroom houses	117
Four + bedroom houses	142

A total of 98 of the units are delivered as flats. In the revised scheme none of the housing provision is identified as affordable housing.

2.11. The flats are focused in two distinct areas of the site. The main flatted development is proposed on the first phase of the scheme fronting Matlock Spa Road. Three flat blocks are proposed to the north of this road as you enter the scheme and a rectangular flat block fronts the road to the south. The square blocks run in a line with the easternmost at the lowest level having five storeys with the upper of these set back from the main face of the building. The other two blocks as you move west are four storey with the same upper floor design. The easternmost of these incorporates a retail unit at ground floor. The flat block to the south of Matlock Spa Road has four storeys with a regular pattern of windows and projecting balconies. Flats are also proposed at the western end of the site on the former Permanite site with blocks either side of the retained Permanite tower.

2.12. The lower and eastern end of the proposed housing layout have a mix dominated by terrace properties. As the site opens out to the south-west more detached properties are incorporated into the layout. The applicant has a clear design ethos and has broken up the layout within distinct zones. The entrance to the site is referred to as the Gateway Spa, to the west of this on the upper level is the Crescent Spa, to the north of this on the lower level is the Esplanade Spa. In the west of the site are the Woodland Spa which is low density in the former copse and adjoining land and the Village Spa is on the Permanite site and adjoining land.

2.13. In addition to the housing proposed the application includes three industrial units suitable for offices / research and development / light industry to be constructed on the lower level at the eastern end of the site. These are split level with a mezzanine served from the estate road and main component served from a separate access road to the north. They have a combined floorspace of 2800m².

2.14. The retail unit in the Gateway flat block has a floor area of 235m² and available parking.

2.15. At the western end of the development and fronting onto the Derwent Valley Heritage trail is a café / restaurant building which has a proposed floor area of 476m².

2.16. The applicant has indicated an intention to utilise natural stone for the bulk of the walling materials with less than 25% of render to provide relief and variety. Roofs to most buildings are indicated to be natural slate. In addition to this core usage of materials three special areas have been identified. In the Woodland Spa Area a darker masonry is proposed in the form of a longer darker brick which is to combine with zinc roofing. In the Village Spa area it is proposed to clad the apartment building in brick to complement the Permanite tower. Finally, the business start up units will be partially clad in stone and partially in timber with green roofs and photovoltaic panels.

2.17. The application sets out the applicants intentions in relation to openspace, play and footpath and recreational routes. In simple terms to the south of the site a Quarry Park is to be created and managed. This will safeguard the SSSI but create a park which links to

it to create a green route through the site. The applicants also indicate an intention to give open access to Snitterton Fields and the Flood Plain Meadow. Within the housing development are greenspaces with a community green at the western end, esplanade greenspace and play facilities and pocket parks throughout the layout. Footpath links are created across the central embankment and the development links to Derwent Valley Heritage Trail to the north. The applicants recognise the need to set up a Management Company to manage all of these spaces.

2.18. The application is accompanied by a number of supporting documents as follows:

Jan 2017

- Planning Statement
- Design and Access Statement
- Geotechnical Desk Study and Preliminary Risk Assessment
- Transport Assessment
- Archaeological Assessment
- Further Ecology Survey
- Extended Phase 1 Habitat Survey
- Arboricultural Implication Study
- Flood Risk Assessment

June 2017

- Planning Statement Addendum
- Setting Change and Effects to Heritage Assets
- Assessment of Impact on SSSI
- Response to DCC comments on FRA
- Revised Scheme – Geo-Environmental Risks
- Amended Design and Access Statement
- Viability Assessment

July 2017

- Revised Viability Assessment

November 2017

- Further Addendum to Planning Statement
- Design Addendum
- Further Ecological Submission

These documents have been circulated to consultees for full consideration in assessing the application and are discussed as appropriate in the Officer Appraisal. The only element that is covered below is the case made by the applicants which is summarised as follows:-

- 'The Matlock Spa' concept is far removed from a conventional housing estate. It aims to create something special with beautifully designed and distinctive spa villages within a country park setting and the dramatic quarry scenery.
- The concept needs a critical mass to achieve a real sense of place and commercial success. Any affordable units are at best cost neutral so the market housing has to bear the whole cost of the development.
- It is evident from the length of time that Groveholt have been involved (2001 to present day) that there is a longterm commitment to deliver a scheme that will not be a standard housing development. The price of this is that development of part of Snitterton Fields is necessary as an integral element of the total concept.

- If this number of dwellings was compressed into the original quarry site then the 'Matlock Spa' concept would be compromised and diluted.
- This concept provides the special justification for the development of part of Snitterton Fields. It is not a prelude to further encroachment.
- Concern over further encroachment could be addressed by extending the National Park boundary which would then give full protection to this area.
- The final amended scheme has resulted from discussions with the District Council and the Valuation Office Agency, the Council's Viability Assessor.
- The Valuation Office Agency concluded that a planning compliant scheme was unviable. They, however, in considering the modified scheme, concluded that the scheme could support identified Section 106 contributions and 7.1% (36 units) on-site affordable housing.
- Whilst 36 units could be provided within the scheme following discussions with the Council an alternative solution with equivalent viability consequences is proposed. The scheme withdraws further from Snitterton Fields but does not provide any affordable housing.
- The overall scheme has shrunk by 99 units with now only 5½ houses in Snitterton Fields.
- The reduction of 20 units reflects the comparable floorspace of the units on Snitterton Fields which are bigger than the average units in the remainder of the scheme.
- A less dense development of larger dwellings is appropriate at the western end of the development.
- The small number of dwellings remaining in Snitterton Fields will only have a minor visual effect on views from outside the development and landscape character. This will reduce further as screen planting matures.
- There is no precedent for further encroachment into Snitterton Fields as there would be no comparable special circumstances.

2.19. Further correspondence from the applicants as a result of ongoing negotiations has confirmed the following:

- The red line site plan has been revised to align with the amended development boundary.
- The Section 106 Agreement will include a commitment to carry out the planting at the western end of the site in the first planting season following commencement of any part of the development. The suggestion of a no further development clause on Snitterton Fields is considered unnecessary as planning permission would be required for any further development.
- The first phase of the development is Gateway Spa and the phasing is planned to proceed clockwise to allow completion of the infrastructure in the upper portion of the quarry leading to the former Permanite first with construction access via the lower portion of the quarry.
- Would be happy to accept a condition which secured employment provision prior to completion of 243 (50%) of residential units.

- An archaeological condition would be acceptable to record industrial archaeology provided no trial pits are required prior to commencement.

3. PLANNING POLICY AND LEGISLATIVE FRAMEWORK

3.1 Adopted Derbyshire Dales Local Plan (2017)

- Policy S1 : Sustainable Development Principles
- Policy S2 : Settlement Hierachy
- Policy S3 : Development Within Defined Settlement Boundaries
- Policy S4 : Development in the Countryside
- Policy S5 : Strategic Housing Redevelopment
- Policy S6 : Strategic Employment Development
- Policy S7 : Matlock / Wirksworth / Darley Dale Development Strategy
- Policy S10 : Local Infrastructure Provision and Developer Contributions
- Policy PD1 : Design and Place Making
- Policy PD2 : Protecting the Historic Environment
- Policy PD3 : Biodiversity and the Natural Environment
- Policy PD4 : Green Infrastructure
- Policy PD5 : Landscape Character
- Policy PD6 : Trees, Hedgerows and Woodlands
- Policy PD7 : Climate Change
- Policy PD8 : Flood Risk Management and Water Quality
- Policy PD9 : Pollution Control and Unstable Land
- Policy HC1 : Location of Housing Development
- Policy HC2 : Housing Land Allocation
- Policy HC3 : Self Build Housing Provision
- Policy HC4 : Affordable Housing
- Policy HC11 : Housing Mix and Type
- Policy HC14 : Open Space and Outdoor Recreation Facilities
- Policy HC15 : Community Facilities and Services
- Policy HC18 : Provision of Public Transport Facilities
- Policy HC19 : Accessibility and Transport
- Policy HC20 : Managing Travel Demand
- Policy HC21 : Car Parking Standards
- Policy EC1 : New and Existing Employment Development
- Policy EC2 : Employment Land Allocation
- Policy EC3 : Existing Employment Land and Premises
- Policy EC5 : Regenerating an Industrial Legacy
- Policy EC11 : Protecting and Extending our Cycle Network
- Policy DS9 : Land at Cawdor Quarry Matlock

3.2. Other:

- National Planning Policy Framework
- National Planning Policy Guidance
- Derbyshire Dales Local Plan (2005)

4. RELEVANT PLANNING HISTORY

- 17/00294/FUL Erection of 79 dwellings and 235 sq.m. retail (Class A1) unit with associated vehicle, cycle and pedestrian infrastructure – Pending consideration.

- 13/00157/EXF Extension of Time Limit for Implementation – Revision to approved masterplan layout to facilitate the rearrangement of the layout of 269 houses (no change in the approved residential units at 432),

	reconfiguration of the B1 employment floorspace and associated works – Granted
11/00261/FUL	Construction of 12 No. houses with garages, associated works and infrastructure including engineering works to part fill adjacent quarry to provide property gardens – Granted
08/00705/FUL	Revision to approved masterplan layout to facilitate the rearrangement of the layout of 269 houses (no change in the approved residential units at 432), reconfiguration of the B1 employment floorspace and associated works – Granted
07/00973/FUL	Revision to the approved masterplan layout granted 18 th December 2001 for the redevelopment of Cawdor Quarry viz, re-arrangement of layout of 123 houses adjacent to railway line and in the Eastern Hamlet (no change in the approved number of residential units at 432) and reconfiguration of the B1 employment floorspace – Withdrawn
07/00972/FUL	Revisions to the Approved Masterplan layout granted 18 th December 2001 for the Redevelopment of Cawdor Quarry viz, rearrangement of layout of 29 houses in the Western Hamlet and Upper Hamlet Adjacent to Snitterton Road (no change in the approved numbers of residential units at 432) – Withdrawn
02/04/0306	Enabling works to include regrading of site levels to facilitate redevelopment – Granted.
01/08/0554	Redevelopment of Cawdor Quarry for Residential Accommodation, Employment Development (Use Class B1) Building for Community Use, with Associated Landscaping, Open Space, Roads, Car Parking and Other Infrastructure – Granted.

5. CONSULTATION RESPONSES

5.1 Peak District National Park Authority

First consultation:

Object and would support Derbyshire Dales District Council in the appeal process should the application be refused.

The proposed development on part of Snitterton Fields would have a significant adverse landscape and visual impact and would harm the setting of the National Park. The development would have the potential to adversely affect the ability of visitors and residents to enjoy its special landscape qualities. Furthermore, the development would adversely affect the setting of several Scheduled Ancient Monuments and designated heritage assets, including the Grade I Listed Snitterton Hall. The Authority has no objection to the part of the proposed development that is limited to the Cawdor Quarry and Permanite Works sites. The Authority would withdraw the objection if the development of Snitterton Fields was withdrawn from the proposal.

Second consultation response:

The Park Authority wish to maintain their objection due to the impact of the development on the setting of the National Park.

It is acknowledged that the amended scheme would reduce the visual impact of the development as a whole. However, it still involves encroachment beyond the

previously developed land and former quarry access into part of the undeveloped Snitterton Fields. It is considered that the proposed development on part of Snitterton Fields would still have a significant adverse landscape and visual impact and would harm the setting of the National Park. The amended development would still have the potential to adversely affect the ability of visitors to enjoy its special landscape qualities.

Members also requested that if Derbyshire Dales District Council considers the scheme acceptable in principle, that further consideration is given to the design, materials, height and density of dwellings on Snitterton Fields and that the current details are amended in order to provide dwellings of traditional design and materials and of a lower density to this part of the scheme. Asked to be consulted on these details if they emerge.

Third consultation response:

Whilst it is acknowledged that the latest amended scheme would further reduce the visual impact of the development as a whole, it would still result in some encroachment beyond the previously developed land and former quarry access into part of the undeveloped Snitterton Fields. This could have an adverse landscape and visual impact that would harm the setting of the National Park. Consequently the Authority maintains its objection.

If the District Council consider the scheme acceptable in principle further consideration should be given to the design, materials, height and density of dwellings on Snitterton Fields so that the dwellings are of a lower density and traditional appearance and materials. Request that the National Park be consulted on any revised scheme.

5.2. Historic England

Initial response:

Summary:

Snitterton Hall and the associated moated site are designated heritage assets of the highest importance as reflected in their Grade I Listed and Scheduled Monument status, this further supported by the Grade II listing of the Manor Farmhouse and Hall Gardens. The proposed development will cause harm to the significance of these assets through the alteration of their historic landscape settings insofar as the development extends beyond the former Cawdor Quarry and Permanite Works. If the development were contained to the former works site and behind the tree belt screening the former quarry there would be little or no adverse impact. We have strong concerns and urge your Authority to seek revised plans on that basis.

Historic England Advice:

Snitterton is first mentioned in the Domesday Book where it is recorded that 'Sinitretone', as it was then known. It was one of several berewicks belonging to Matlock Bridge, a berewick was a settlement which was physically separate from the manorial centre of administration but still governed as part of that estate. The manor of Snitterton belonged to the royal manor of Matlock Bridge but the de Snitterton family assumed the lordship of the manor from at least the Norman Conquest. Late 13th century documents record that Jordan de Snitterton held a house or group of houses with attached demesne land (the demesne is the lords' home farm as distinct from the land of sub-tenancies) within Snitterton Manor. It is believed the moated platform was the site of these buildings. In Derbyshire this class of apparently local English (rather than Norman) gentry are of particular interest in understanding the politics or authority and power in the medieval countryside.

The moated site and fishponds 300m north-east of Snitterton Hall is a Scheduled Monument designated by the Secretary of State on the basis of its national archaeological importance. The monument survives as a series of earthworks and buried remains. The moated site and fishponds 300m north-east of Snitterton Hall are particularly well preserved and will retain important archaeological and environmental evidence in the deep basal silts of the moat, the ponds and beneath the surrounding banks. The platform will also retain important information relating to the structure and use of the buildings which once stood within the ditch. Taken as a whole the moat and fishponds will add to our knowledge and understanding of the development and working of medieval manorial centres in the area and the position they held in the wider landscape.

Snitterton Manor farmhouse is a Grade II Listed building which contains the remains of the probable 15th Century Manor House, likely to be the intervening building in sequence between the medieval moated manor house and the Elizabethan Hall.

Snitterton Hall is a Grade I Listed building of exceptional historic and architectural interest, placing it amongst the top 2.5% percent of listed buildings. The Hall is of late 16th century date. An Elizabethan small mansion described as in pristine condition at time of listing, an exceptionally rare survival of the English renaissance which has survived the attritions of later fashion. The Hall can be seen as a successor to the moated site and Manor Farmhouse as local gentry discovered new ways of living and articulating their status and rebuilt. The garden walls of the Hall are also listed at Grade II. The creation of formal garden spaces are key element in more mannered and sophisticated ways of living that were designed into Renaissance houses.

At Snitterton we have in close juxtaposition three phases in the transformation of gentry housing and authority in the Derbyshire. This exceptional group of designated heritage assets sits in a rural agrarian landscape framed by the waters of the Derwent to the north and the rising ground to the south. To the east the twentieth century screening vegetation conceals Cawdor Quarry and much of the former Permanite Works.

The proposed development extends beyond the previously developed Permanite site and the Cawdor Quarry spilling out onto Snitterton Fields and transforming the landscape context of Snitterton Hall, Manor Farmhouse and the Scheduled Moated Site and fishponds. Not only do the elements of the development on Snitterton Fields bring the suburbs of Matlock into the agrarian setting of the designated assets but they also undermine the position of the Hall, Moat and Manor House as the focus and hierarchical centre of the local landscape. Redevelopment of the Permanite site and within the quarry can be achieved we believe with little or no harm to the significance of the designated heritage assets at Snitterton, the harm, which we treat very seriously, occurs where it encroaches onto Snitterton Fields.

Recommendation:

Historic England has serious concerns regarding the application on heritage grounds. We consider that the application does not meet the requirements of the National Planning Policy Framework, in particular paragraph numbers 132 and 134. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 132 and 134 of the National Planning Policy Framework. In determining this application you should bear in mind the statutory duty of Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.

Your Authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice. If there are any material changes to the proposals, or you would like further advice, please contact us.

Second Consultation Response:

Historic England Advice:

Welcome the amendments made to the scheme, these address our concerns in respect of designated heritage assets.

Recommendation:

Historic England has no objection to the application on heritage grounds.

Third Consultation Response:

Based on the further information do not wish to offer any further comments.

5.3. Development Control Archaeologist

First Consultation Response:

Below-ground archaeological remains

The application is accompanied by an archaeological desk-based assessment produced by Pre-Construct Archaeology.

The proposal site of c22ha is largely contained within the previously-worked ground of Cawdor Quarry, where archaeological potential is limited to remains of the quarry operation itself. The historic stone quarry does however have an entry on the Derbyshire Historic Environment Record (HER 30811) and should therefore be assessed for historic interest and significance. This aspect of the site is not adequately covered in the archaeological study, which focuses primarily on the greenfield part of the site to the west.

The 'Snitterton Fields' part of the development, to the west of the historic extent of Cawdor Quarry, is close to the Scheduled medieval moated site and fishponds at Snitterton (HER 12715), evidence for medieval village earthworks (HER 12717) and to evidence for historic lead mining and processing (rectangular enclosures at HER 12725, shafts shown on historic and modern mapping, the line of the Orchard Sough and Sough Tail at HER 12757). The latter fall into areas not within the red-line boundary but proposed for landscaping as open space within the application documents. Aerial photography shows earthwork features within the site itself, extending into the fields further west and possibly representing activity associated with post-medieval leadworkings or with the medieval village.

Because the desk-based assessment contains no assessment of the quarry site, or further interpretation of the earthworks within the site I judge that it does not meet the requirements of National Planning Policy Framework paragraph 128 in relation to below-ground archaeological remains. This could be addressed by undertaking a study and statement of significance for the quarrying remains, and by plotting of earthworks and geophysical survey on the Snitterton Fields area and any extension where landscaping proposals could impact below-ground archaeology.

Setting of designated heritage assets

The proposal site is within the close setting of a number of designated heritage assets, notably the Grade I Listed Snitterton Hall (400m from the red-line boundary) and the Scheduled moated manor and fishponds (160m). The application contains landscaping proposals for the field immediately west of Snitterton, and these would bring development impacts closer still.

With regard to the setting of designated assets the Local Planning Authority should be guided by the advice of its Conservation Officer (Listed Buildings), Historic England (the Grade I Listed Building and the Scheduled Monument) and the Peak District National Park Authority (because a number of the assets lie within the National Park boundary). The heritage information contained within the application in relation to designated assets is extremely thin: Listed Buildings are covered within the Design and Access Statement, and the setting of the Scheduled Monument is mentioned within the archaeological desk-based assessment. In neither case is the five-step process outlined by Historic England within guidance on the setting of heritage assets followed: there is no assessment of significance, no consideration of how aspects of setting contribute to significance, and no quantification of the magnitude of the proposals harms/benefits. The application is therefore seriously deficient against National Planning Policy Framework paragraphs 128 and 129.

I wish to offer some comments on the setting/significance of the Scheduled medieval manor site. The significance of the asset derives from its evidential value as an earthwork medieval site, but also from its place within a historic landscape which includes the village of Snitterton, the surrounding fields which fell within its manorial landholding, associated medieval village earthworks and ridge-and-furrow, and the Grade I Listed Snitterton Hall which was its successor as seat of the manor. The site therefore has a strong historic relationship with the village of Snitterton and with its surrounding landscape, and this is reinforced by views across and through the moated site from the network of footpaths to the west and from vantage points on higher ground – towards Oker and Oker Hill to the west and north-west, and from the slopes rising behind Snitterton towards Bonsall Moor. The settlement as a whole, with its heritage assets, has a hidden quality and a sense of deep time, with its medieval assets sitting within what appears to be a deeply rural landscape despite being only minutes from the centre of Matlock. The re-vegetated edge of Cawdor Quarry reads in these views as a belt of woodland, and the nearest sense of an urban edge is therefore the development along the line of the A6 to the north of the Derwent around 950m away.

The part of the proposal site immediately west of Cawdor Quarry contains some earthworks yet to be properly assessed. These are perhaps most likely to represent post-medieval lead-mining but there may also be features linked to the medieval village and its environs. There may consequently be a contribution to significance made by contemporary features. The two fields in question also make an important contribution in maintaining a sense of the rural landscape context and setting of Snitterton and its heritage assets, as a buffer zone between the assets and the urban edge of Matlock. Introducing housing into this area would create an urban edge now only 160m from the Scheduled Monument (and 400m from the Grade I Listed Hall). This is a substantial change within the close setting of these designated assets, and would introduce a sense of urban sprawl into key views towards and across the moated site. This would not be mitigated by the proposed screening clumps of trees in the field between the development and the scheduled site – these would appear visually intrusive and out-of-character in both landscape and historic landscape terms.

Lack of heritage information notwithstanding, I therefore feel that it is possible to conclude that the proposals will represent harm to the significance of the Scheduled Monument and the Grade I Listed Hall, through erosion of the experience of Snitterton as a medieval settlement in a rural landscape which retains a strong sense of deep time. A more exact quantification of harm is not possible in the absence of any detailed visualisations of the development proposals in views to/from/of the heritage assets, but in National Planning Policy Framework terms it is likely to represent 'less than substantial harm'.

National Planning Policy Framework paragraphs 132 and 134 require that such harms be given 'clear and convincing justification' and – if the development is to be granted consent – should be shown to be outweighed in public benefits of the development proposals. This can include socio-economic benefits associated with housing development. However, in the current case, a similar level of socio-economic benefit could be delivered by housing development within the former confines of Cawdor Quarry, taking advantage of the developed screening afforded by the revegetated quarry edges which provide a logical and natural boundary to conserve the heritage and landscape significance of the landscape to the west. Because the socio-economic benefit could be delivered with zero or minimal heritage harm within the former quarry, the harms arising from expansion of the development towards Snitterton are not justified.

I therefore recommend that the proposals in their current form should be refused consent, because of harm to designated heritage assets which are not outweighed by public benefits (National Planning Policy Framework paragraphs 132/134).

Second Consultation Response:

Previously expressed concerns about the absence of desk-based archaeological information provided in relation to the 19th – 20th century quarrying activity at Cawdor Quarry (HER 30811), and possible earthwork features within the Snitterton Fields part of the proposal site.

The amended archaeological desk-based assessment does provide some additional information in relation to Cawdor Quarry but this appears to relate to the separate application 17/00294 for a smaller site close to the quarry entrance (see e.g. Figures 1-3) and I wonder whether it has been submitted in error. The current application involves a much larger 22ha site incorporating most of the former Cawdor Quarry. The treatment of the quarry archaeology in the submitted document is in any case rather vague, and lacks an identification, interpretation and appraisal of significance for surviving quarry features, buildings and infrastructure. I therefore advise that the archaeological information remains incomplete with regard to the historic quarry site, as per previous comments.

With regard to the Snitterton Fields part of the site, the earthwork features noted above are now excluded from the built part of the proposed development, and I therefore advise that there is no need for further information in relation to this area.

I also previously provided substantive comments with regard to setting impacts in relation to the Grade I Listed Snitterton Hall and the Scheduled moated manor and fishponds at Snitterton. The applicant has subsequently made substantial revisions to the development layout in the area west of Cawdor Quarry, removing the upper part of Snitterton Fields from the proposed development, and reducing the built form on the lower field. A revised heritage impact assessment has been produced in relation to the amended scheme, and crucially this includes visualisation photography from key viewpoints including the slopes above Snitterton and the southern slopes of Oker Hill.

The principal concern of heritage consultees in relation to the originally proposed form of development was that the proposed housing would diminish an appreciation of the historic settlement hierarchy visible in the landscape around Snitterton, by introducing a competing and somewhat overbearing element of built form into the former manorial land-holding. This harm is very much reduced in the amended scheme, where the vegetated edge of Cawdor Quarry is retained as the edge of development, with this vegetation belt then extended to the south to screen the development where it extends into part of the field west of the former Permanite site. In terms of harm, the development does still read as an intrusion of built form – see for example images 3b

and 5b in the submitted photomontages. Image 3b perhaps shows a worse case in terms of the intrusive form of the proposed development west of Permanite, where the proposed housing still achieves a level of massing so as to disrupt the sense of Snitterton and its heritage assets as the centre of this little landscape. It should be noted however that this visualisation appears to omit the proposed belt of planting around this area of housing, and it may be that the level of harm shown in image 3b would be reduced to more acceptable levels by appropriate planting and landscaping. A revised landscaping plan does not appear to have been submitted to supersede the previous proposals showed rather harmful 'clumps' of planting between Snitterton and the proposed development. The Local Planning Authority may therefore wish to seek further information in relation to proposed landscaping west of the site, or a revision of the relevant visualisation to show the impact of proposed planting.

Third Consultation Response:

The revised plans involve a further reduction of the planned extension into Snitterton Fields. In terms of the setting of the high value heritage assets in Snitterton (Scheduled Monument and Grade I Listed Building) this represents a further reduction in the levels of harm proposed. The applicant has not provided any additional heritage information but there is a single revised visualisation in the 'Design Addendum' from the southern slopes of Oker Hill. This shows a reduced visual impact, however, it is not especially useful in assessing setting impacts with regard to the designated heritage assets, where the built form of the development in competition to that of Snitterton Village is the key consideration. A visualisation of the development from the slopes above Snitterton to the south is requested where the development is viewed across the built form of Snitterton Village.

With regard to other historic environment considerations note that no further work has been carried out in relation to assessing the archaeology of the quarry and would reiterate earlier comments.

5.4. Matlock Town Council

First Consultation Response:

Snitterton Fields are outside the settlement boundary in the current Local Plan and following public consultation are also excluded from the area allocated for housing in the new Draft Local Plan submitted to Central Government. The presumption must therefore be that they should be excluded from the development proposals.

The argument presented at the consultation was that the proposals only make financial sense if the fields closest to the Quarry are included in the proposals. But no financial information was presented then or since. It should be ensured that the project is actually deliverable.

An alternative scheme excluding the fields should be considered. We believe that the development should be phased wholly starting from the two road accesses to the east.

The adverse impact that the development may have on traffic should also be considered.

Second Consultation Response:

Objection.

Matlock Town Council strongly opposes the Developer's proposed revision to the Outline Planning Application of December 2016.

The withdrawal of the majority of the area Snitterton Fields from the scheme, whilst, welcome, as an apparent exchange / 'counter balance' for the withdrawal element of 'affordable housing' (78 dwellings) is simply not acceptable.

The NPPF guidance, now with a reduction to an allocation of only 30% for 'affordable housing' for new housing developments, as in the Local Plan, is a key element of what should be required and achievable.

It is suggested the Developer revisit his proposals and reconsider the 'cost imposition' element statement made in his Planning Statement Addendum : Conclusions : Para 11.3 and that Derbyshire Dales District Council resists any Section 106 monetary agreement for the withdrawal of the affordable housing element of this Development.

Third Consultation Response:

Reiterate comments in second consultation response.

5.5. South Darley Parish Council:

First Consultation Response:

We are happy that the brownfield sites of the quarry and Permanite are developed, but believe building on these fields is totally unacceptable for the following reasons:

- Snitterton Fields were specifically removed from the Local Plan following their assessment as the worst of 135 potential sites considered in the Local Plan.
- If the fields were built on it would set a very dangerous precedent for the long debated and key Local Plan, as it would put at risk any greenfield site throughout the Derbyshire Dales.
- The developer claims that Snitterton Fields are necessary for the viability of the development, but they have not provided any viability assessment. They also state that the quarry could be developed without the fields, and do have the addition of Permanite as they have already had with Limestone Croft.
- There would be a serious impact on the character of this landscape of high sensitivity.
- Extreme visual intrusion especially from the 2-3 storey buildings on a very raised platform at the top of the fields.
- Development of the fields would lead to urban sprawl from Matlock to Snitterton and Oaker.
- The proposed site is close to Grade 1 and Grade 2 heritage assets.
- The National Park overlooks this site and is overlooked by it.
- If the fields are approved there will be no guarantee of, or incentive for, development of the quarry.

Second Consultation Response:

Object.

Whilst we welcome the major reduction in the number of houses on Snitterton Fields, we are still opposed to any development on these fields for the following reasons:

- It means building on 3 acres/1.2 hectares of greenfield land;
- It has not been allocated for housing in the proposed Local Plan, which is nearing adoption;
- It is part of a landscape of high sensitivity;
- It overlooks and is overlooked by the Peak District National Park and is close to valuable heritage assets.

We regret that the developer believes the development is only viable if the affordable houses are removed, but fortunately several recently approved applications have included a high proportion of affordable homes e.g. the Golf Club site.

Third Consultation Response:

Object.

Whilst we recognise the number of houses on Snitterton Fields have been reduced, we are very concerned that this incursion into the fields is the ‘thin end of the wedge’ for future development and also that the Application Boundary remains the same as it was for 118 houses.

Viability no longer seems to be an issue following the District Valuers comments and the statement by the Local Plan Inspector that there is no evidence that the fields are necessary for the development of the quarry. Surely, therefore, these 5.5 houses can be relocated elsewhere on the scheme site without affecting viability.

Our previous arguments still apply. That is, the application is contrary to the allocated sites and Settlement Boundary in the Local Plan, is damaging to the sensitive landscape and nearby heritage assets and sets a dangerous precedent for development of non-allocated greenfield sites. Furthermore it intrudes into the setting of the Peak District National Park, which the Inspector has established as a new strategic objective.

We are, of course, happy to see the development of Cawdor Quarry and Permanite, but critically need protection of these precious fields from future development.

5.6. Natural England

Initial Consultation Response:

Insufficient information has been submitted to enable Natural England to provide a substantive response.

Site of Special Scientific Interest (SSSI):

No assessment has been provided of the potential impacts of the proposal on Cawdor Quarry SSSI. A Construction Environment Management Plan is required detailing the potential impacts upon Cawdor Quarry and a strategy for mitigation.

Priority habitat as identified on Section 41 List of the National Environmental Rural Communities (NERC) Act 2006:

The development includes areas of priority habitat in the form of deciduous woodland. The applicant should provide details on how the partial loss of this will be avoided, mitigated or compensated for.

Green Infrastructure Potential:

The proposed development is within an area that would benefit from enhanced green infrastructure provision. Natural England would encourage the incorporation of this into the scheme.

Best and Most Versatile Agricultural Land

No assessment has been provided of the potential impacts that the proposal will have on best and most versatile agricultural land.

Second Consultation Response:

No objection subject to appropriate mitigation being secured.

Consider that without appropriate mitigation the application would damage or destroy the interest features for which Cawdor Quarry SSSI has been notified.

Statements within the Planning Statement imply that the SSSI is considered part of the development insofar as it is part of the Ecology Park and will be positively managed as part of this development including the priority habitat that surrounds the SSSI. Recommend an appropriately worded planning condition be attached which stipulates the applicant provide a detailed Ecological Management Plan.

Further Advice on Mitigation:

The positive management of the Ecology Park should ensure that the proposal will not have significant impact on the SSSI and the enhanced area of flora and fauna are suitable for positive management of the SSSI.

Protected Landscapes:

The proposed development lies close to the nationally protected Peak District National Park Authority. The Planning Authority should use National and Local Policy in conjunction with local landscape expertise to determine the application.

Paragraph 115 of the National Planning Policy Framework sets out the national guidance. Alongside this you should apply local landscape policies incorporated into the Local Plan.

The National Park landscape advisor / planner will be best placed to provide advice as they will know the site and its wider landscape setting.

The statutory purposes of the National Park are to conserve and enhance the natural beauty, wildlife and cultural heritage of the Park and to promote opportunities for the understanding and enjoyment of the special qualities of the Park by the public. You should assess carefully if the development would have a significant impact on or harm those statutory purposes.

Third Consultation Response:

The previous advice given applies equally to this modified scheme.

5.7. Derbyshire Wildlife Trust

Initial Consultation Response:

Potential impact of the development on nature conservation.

Impact on the Local Wildlife Site

The proposal will result in the loss of 70% of the local wildlife site. The remaining 30% close to the rock face will be impacted upon by infrastructure proposals to create the 'Country Park'.

Impact on Habitats

The site supports UK BAP priority habitats. These are broad-leaved woodland, wet woodland and open mosaic habitats on previously developed land. The waterbodies on site might also qualify as priority ponds but as they are in the SSSI

they will remain undeveloped. All of the open mosaic habitat will be lost and this is estimated at 6-8ha.

It appears in the region of 3.5 – 4 ha of wetland broad-leaved woodland will be lost.

Other habitats impacted include scrub, tall herb, unmanaged grassland, improved grassland and scattered trees. The scrub loss may impact on invertebrates, birds and bats and the tall herb and unmanaged grassland will impact on invertebrates.

The improved grassland to the west of the site is not of great nature conservation value.

Impact on Species

Six species of bat forage on the site and at least two species roost. The loss of woodland will trigger the need for replacement roosts. The impact of loss of commuting and foraging habitat is more difficult to quantify but it could be significant between the ponds and river. The retention of some woodland habitat in this area would be beneficial.

Loss of woodland scrub will affect birds and some of conservation concern (e.g. song thrush) are likely to lose habitat.

Impact on reptiles will be low with only one slow worm recorded.

The development will impact on badgers and several setts could be affected triggering the need for a licence. Foraging and movement of badgers will also be affected.

The invertebrate assessment did not find species of high nature conservation value. However, the moth and butterfly assessment was too late in the year. The loss of the open mosaic habitat will impact on invertebrates and those previously recorded include UK BAP priority species dingy skipper and small heath butterflies and lattice heath, shaded broad-bar and cinnabar moths.

The loss of open mosaic habitat across Derbyshire is significant with 50% under threat of development and those species already in decline will decline further.

Measures to Address Impacts

The mitigation and compensation to address impacts need to fully describe opportunities to create or translocate open mosaic habitat need exploring. The proposal to create new woodland needs properly explaining. Creating public access to some currently wild areas could further undermine woodland habitat.

The proposed enhancements of the fields to the west are not very comprehensive and need to be more interventionist. The grassland could be improved by using seed, green hay or plug plants. The floodplain meadow could be enhanced with the aim of creating a species rich wet meadow / wetland site.

Bat roosts proposals are acceptable but foraging routes need consideration.

The impact on badgers is caused by loss of foraging areas of woodland and grassland. Access to foraging in the south, north and east will be limited and retaining a good link to the west becomes very important.

Impact on nesting for birds and bats should be addressed through artificial nest boxes.

Conclusion and Recommendations

The National Planning Policy Framework states that the Local Planning Authority should seek to avoid net loss in biodiversity and achieve gains wherever possible. The proposal has not demonstrated how a net loss in biodiversity can be avoided.

The impacts on ecology can be significantly reduced if an area of woodland and open mosaic habitat were removed from development to the north of the SSSI.

The impacts could be further reduced by avoiding woodland clearance in providing access to public in the south of the quarry.

Woodland connectivity for bats should be retained and opportunities for retaining open mosaic habitat and woodland should be explored.

Scope for biodiversity enhancement in the field to the west should be explored but the plans at the moment are sketchy.

Second Consultation Response:

The revised scheme incorporates a reduction of the incursion into Snitterton Fields. The adverse impacts as previously identified are largely concentrated within Cawdor Quarry. The need to properly address the adverse impacts on biodiversity through mitigation and compensation remains.

Third Consultation Response:

Have responded to earlier versions of the scheme and raised concerns in relation to the scale of impacts at Cawdor Quarry and the level of detailed information on proposed mitigation and compensation. This response reflects on further information submitted by the applicant's ecologist.

Measures to Address Impacts

Loss of open mosaic habitat – the applicants indicate an intention to translocate. The loss of habitat amounts to 4.82 ha. The possible areas for translocation are unlikely to amount to any more than between 0.2 and 0.5ha in size. In any event managing this area in a residential context could also prove problematic. The re-creation of similar habitat within the fields to the west is not feasible. Instead the focus should be on establishing areas of more flower rich grassland through habitat creation or enhancement. In the fields to the west this will need a change in the management regime as it is intensively grazed. Even with this there would still be a net loss of open flower rich habitat types amounting to between 2 and 3 hectares. This is to some extent offset by the creation of other habitat types.

In relation to woodland 4.69 ha is lost in the site. Mitigation is suggested in the field to the west but the amount is not precise. The woodland needs to cover a similar area. There is scope to fully compensate for the loss of broad-leaved woodland but this will be constrained by the need to retain the agricultural viability of the land.

The open access to the western field will need management to avoid conflict between dogs and sheep.

The proposal to give public access to the remaining local wildlife site causes concern. This is an important buffer to the SSSI. The management regime needs careful consideration and should be subject to a condition.

The applicants intention for the lower field and floodplain meadow are noted but the open access, grazing for conservation and enhanced wetland may clash with one another. It appears that most, if not all, of the biodiversity enhancements for grassland / wetland will have to be achieved within the lower field adjacent to the river.

The transformation of the lower fields will require a more interventionist approach to achieve real increases in plan diversity. The floodplain meadow by the river could potentially be enhanced or subject to habitat creation aimed at establishing a species rich wet meadow / wetland site.

Conclusions and Recommendations

Whilst permissions on this site predate the National Planning Policy Framework, the latest application should still comply with the National Planning Policy Framework. The survey work fully establishes the interest and impacts. The challenge has always been to address the loss of habitat via mitigation and compensation.

In relation to open mosaic habitat and woodland, whilst the applicants plans are noted and welcomed they are unlikely to achieve like for like mitigation especially given the need to alter the current management of the western field.

A comprehensive suite of measures is needed both within the footprint of the quarry and on land to the west. A plan of what can be achieved is provided. The main opportunity for biodiversity enhancement is, however, in the lower field by the river. This field offers significant opportunities to create wetland, grassland and woodland enhancements. To achieve this the field needs managing in an entirely different way and public access will need carefully managing with wetland areas fenced to minimise problems with dogs.

There is an opportunity to improve biodiversity in the Derwent Catchment by creating a semi-natural wetland habitat.

The recreation and translocation of open mosaic habitat within the quarry should be maximised.

The remaining area of the local wildlife site should have the retention of its nature conservation value as its priority and public access will need to be subject of a management plan. This can be achieved via condition.

Mitigation measures will need to include measures for badger, bats, reptiles, breeding birds and butterflies. A licence will be needed in relation to bats.

Conditions and recommendations requiring a Construction Environmental Management Plan before development of any kind commences, a Badger Mitigation Plan, Ecological Mitigation and Enhancement Plan, a Landscape and Ecological Management Plan, preventing vegetation clearance during the local breeding season, a Bat Mitigation Plan and a Reptile Mitigation Plan.

5.8. Environment Agency

Have no objections in principle but recommend that if planning permission is granted conditions are imposed covering the following items:-

Flood Risk

The development to be carried out in accordance with the recommendations of the approved Flood Risk Assessment.

Groundwater and Contaminated Land

Require the submission of a remediation strategy prior to the implementation of each phase.

Require a verification report prior to each phase of the development being occupied.

If unforeseen contamination identified then no further development to be carried out until remediation scheme to deal with it approved.

Piling or other foundation designs using penetrative methods shall not be permitted other than with the express consent of the Local Planning Authority where it can be demonstrated that there is no resultant unacceptable risk to groundwater.

Second Consultation Response:

Whilst the revisions remove development from Snitterton Fields the earlier recommended conditions remain pertinent.

Third Consultation Response:

Confirm that Environment Agency position on the proposals remains the same and confirm earlier suggested conditions should still apply.

5.9. County Council Flood Risk

First Consultation Response:

Express concern that surface water will feed into the River Derwent and suggest that sustainable Urban Drainage Solutions should be explored through using mini sub-catchments.

Second Consultation Response:

No further comment as no new proposals in relation to drainage.

Third Consultation Response:

No further comments as no new proposals in relation to drainage.

5.10. Environmental Health

No objection in principal. Agree with submitted reports that intrusive site investigation should be carried out prior to development. This should then inform the remediation scheme. Conditions are suggested to cover this.

5.11. County Council (Policy and Monitoring)

First Consultation Response:

In the absence of a Community Infrastructure Levy financial contributions should be secured via Section 106 agreement to provide:-

- £569,950.50 towards the provision of 50 primary places at St. Giles C of E Primary School via Project A : creation of additional teaching and support spaces; and
- £515,285.10 towards the provision of 30 secondary places at Highfields School via Project A : creation of additional teaching and support spaces;
- £242,162.70 towards the provision of 13 post 16 places at Highfields School via Project A : creation of additional teaching and support spaces;

- Advisory footnote to secure high speed broadband services for future residents.

Second Consultation Response:

In the absence of a Community Infrastructure Levy, financial contributions to be secured via Section 106 Planning Obligations to provide:-

- £775,132.68 towards the provision of 68 primary places at St. Giles Church of England Primary School via Project A : creation of additional teaching and support spaces; and
- £206,114.04 towards the provision of 16 secondary places at Highfield School via Project A : creation of additional teaching and support spaces;
- £74,511.60 towards the provision of 4 post 16 places at Highfield School via Project A : creation of additional teaching and support spaces;
- Advisory footnote to secure high speed broadband services for future residents.

Third Consultation Response:

In the absence of a Community Infrastructure Levy, financial contributions to be secured via Section 106 Agreement to meet needs for school places having due regard to net capacity of schools, current number on roll as well as projected pupil numbers over next five years as follows:-

Primary School – A contribution of £672,541.59 to provide 59 primary school places at St. Giles Church of England Primary School towards Project A : creation of additional teaching and support spaces;

Secondary Level – further analysis has confirmed that the Secondary School will have capacity to accommodate both secondary and post 16 pupils.

Advisory footnote to secure high speed broadband services for future residents.

5.12. County Council Strategic Planning Comments

Overall, in the context of the assessment of national, sub-regional and local planning policy, it is considered that the planning application proposals in their entirety are unacceptable as currently proposed. This is because there are fundamental concerns about the inclusion in the proposals of greenfield land at Snitterton Fields. The proposed development of over 100 houses on this part of the application site would be poorly related to the proposed housing development on the remainder of the site in the former Cawdor Quarry and Permanite Works sites. Such a large-scale of housing development on Snitterton Fields would appear as an area of urban sprawl into the countryside beyond the defined Settlement Framework Boundary of Matlock. It would have an unacceptable major and adverse impact on the landscape and landscape character of the area and the setting on the Peak District National Park. It is considered that these adverse impacts could not be fully mitigated by any design, layout or landscaping proposals. Accordingly, this aspect of the planning application proposals would be contrary to the principles of sustainable development in the National Planning Policy Framework.

Of fundamental importance to the assessment of the application are paragraphs 14, 47 and 49 of the National Planning Policy Framework. In this context, DDDC is currently able to demonstrate an up-to-date five year housing land supply. There is no automatic presumption in favour of granting permission for the proposed development, therefore, in the context of paragraphs 14 and 49 of the National Planning Policy Framework. Although the Adopted DDLP is dated, DDDC is producing an emerging replacement Local Plan

which is well advanced, with the PSDLP having been submitted to the Secretary of State in December 2016, for which an Examination in Public (EIP) is anticipated in May 2017.

The PSDLP sets out a housing requirement for the District of 6,440 dwellings between 2013 and 2033. The Plan identifies sufficient land through proposed housing allocations and commitments to meet this housing requirement in full. In the context of the above, therefore, there is no overriding need for the housing proposals on the Snitterton Fields part of the application site to be approved to meet any potential shortfall in the District's five year housing land supply or Local Plan housing requirement.

Conversely, the housing proposals on the remainder of the application at Cawdor Quarry and former Permanite Works are considered to be acceptable and in broad conformity with the principles of sustainable development in the National Planning Policy Framework. Cawdor Quarry already benefits from extant planning permission for 432 houses and employment land uses. The housing proposals on these two parts of the application site would:

- Provide for a sustainable urban extension that would be well related to the existing built up area of Matlock. Matlock is a sustainable settlement and suitable to accommodate the scale of development proposed on these two parts of the site;
- Provide an important contribution to the District's five year housing land supply and overall housing requirements up to 2033;
- Have good accessibility to local highways and public transport network and a wide range of shops, services, facilities and employment opportunities in Matlock and the wider surrounding area;
- Help facilitate the remediation and redevelopment of a former quarry and vacant employment site;
- Generate significant numbers of jobs in both the construction phase of development and provision of the B1 employment space. The large number of residents occupying the housing units would generate significant levels of new expenditure for the local economy, which would help support local shops, services and facilities; and
- Have more limited impacts on the landscape and landscape character of the area, which could be appropriately mitigated.

In recognising the positive benefits above, considered appropriate to request the applicant to provide further supporting information, which assesses the quantity and quality of the underlying limestone at the former Cawdor Quarry and the viability and practicality of extracting any remaining mineral prior to, or as part of, the development of the site.

Overall, the National Planning Policy Framework makes it clear that at the heart of the Framework there should be a presumption in favour of sustainable development, which comprises three key economic, environmental and social elements. Paragraph 8 of the National Planning Policy Framework makes it clear that these elements are mutually dependent and that they need to be addressed together as part of a balancing exercise. In essence, the application of the balance is an exercise which seeks to understand the beneficial impacts or advantages of any development scheme but then to look at the disadvantages or adverse impacts and whether these would outweigh the benefits and advantages.

On the basis of the summarised analysis above and in detail below, the current planning application proposals have a range of beneficial and adverse impacts. The Cawdor Quarry and Permanite Works elements of the application scheme are considered to be acceptable and in conformity with the principles of sustainable development in the National Planning Policy Framework. However, as the Snitterton Fields part of the site forms an integral element of the application proposals (118 units or 20%), it is considered that overall the application proposals in their entirety are unacceptable in their current form as the Snitterton Fields part of the application is contrary to the principles of sustainable development in paragraph 14 of the National Planning Policy Framework.

5.13 County Council Highways

Transport Assessment – general comment:

There will inevitably be an increase in traffic in the Matlock area, as a result of the development proposals at this site (and other new development sites in Matlock), however, the Highway Authority is generally satisfied that there are no fundamental highway issues that would result in a severe impact of the surrounding highway network (with reference to Paragraph 32 of the National Planning Policy Framework), or that would exacerbate an existing highway safety concern in the vicinity of the site.

Increased levels of traffic, as a consequence of development, would not necessarily constitute sufficient grounds alone to recommend refusal of a planning application, except where it can be clearly demonstrated that the generated traffic will have a harmful effect on highway safety, relative to existing conditions on the road network. Based on the evidence and information currently available, the Highway Authority would not be in a position to demonstrate that the development proposals would have a detrimental impact that would warrant rejection on highway safety grounds, especially on the basis that this is now only a modest increase in the scale of development that already benefits from planning consent.

It should be understood that, as a generality, the Highway Authority does not “agree” the content of a Transportation Assessment or, inevitably, concur with every detail contained therein. However, providing it is considered that the conclusion is sound then it is not regarded as reasonable or warranted to require the applicant to devote resources to amending detail which would not vary the conclusion.

A comprehensive Travel Plan has been submitted and the highways response detailed comments on components of this are offered.

The Travel Plan is a working document and should not be seen as exhaustive in its current form. It will be subject to change in the light of progression and completion of the development, results of actions undertaken, and responsive to results of future travel surveys.

In terms of a Travel Plan monitoring fee, the County Council would wish to be involved in this process to ensure the development proceeds in accordance with the aspirations made in the Transport Assessment and Travel Plan documents, subject to recouping appropriate resources from the developer within the S106 Agreement. This has been calculated at approximately £18,000 based on £3,000 per annum for a period of 5 years, then a further £3,000 for 7 and 9. Additional funding should also be included for area wide / school travel planning as well as public transport provision to serve the site.

General Comments:

The junction with Matlock Spa Road needs to be capable of accommodating a range of vehicle and pedestrian demand. In particular Policy DS9 of the Local Plan seeks measures to deter traffic diverting through Oker and Snitterton. The application does not include this detail and it is probably best achieved by seeking changes to the configuration of the highway to the west of the site. These will need to be identified by the applicant and

funding secured to pay for them through the legal agreement. More detailed arrangements to allow for the provision of public transport are also needed to satisfy plan policy.

Monitoring of travel patterns of future residents will need to be undertaken and funded by the developer to help identify mitigation.

The street design needs to incorporate a 3m wide shared pedestrian / cycle margin on at least one side to encourage walking and cycling. The carriageway width has been minimised in the design on the basis of seeking to encourage pedestrian / cycle activity and this is needed to safely accommodate these highway users.

The developer appears committed to an ethos of sustainable transport travel options and connections to the adjoining public right of way will offer access to many routes. To safeguard aspirations to improve this link the developer should consider allocating sufficient space and / or incorporating the route within the development to provide a cycle route between the railway bridge / river bank into the site and segregated cycle space to get from there to Matlock Spa Road.

In terms of phasing of development would wish to see the two arms of the road linked earlier than zone 6 to aid bus penetration.

Formal crossing facilities should be provided on Matlock Spa Road to help residents of Spa Lofts to cross road. A gateway feature should be created here to make the Spa Road feel part of the development and aid pedestrian movements and alternative surface treatments, restricting vehicle speeds would help this.

The road layout needs to make adequate provision for refuse vehicle turning and parking provision should reflect dwelling size to prevent on-street parking. It may be necessary to restrict on-street parking through formal restriction.

The original application secured highway improvements and mitigation through the Section 106 Agreement. The current proposal has a sizeable sum for highway contributions but no supporting evidence on how these are calculated. It is suggested that the obligations should be broadly similar to those originally requested.

Public transport should be funded for a period of 3 years at a rate of £75,000 / year consistent with the original agreement.

The original scheme sought a sum of £150,000 towards Crown Square improvements. Whilst these may still be necessary they will alter the character of the locality. Other interventions in the local network may achieve the same aim but the £150,000 should be secured through the agreement.

Travel planning is necessary to maximise sustainability and minimise car travel. This has to be monitored and a sum of £18,000 is needed.

The deterring of traffic diverting through Snitterton and Oker is also required. The level of intervention, its form and cost is difficult to predict and should be based on traffic monitoring but a sum of £50,000 should be secured.

In addition funding should be provided to improve pedestrian and cycle infrastructure between the site and town centre, leisure centre and schools etc., including connection to and improvement of the existing public right of way to the north of the site for pedestrian and cycle use and extension of the White Peak Loop. A sum of £50,000 would achieve this objective.

There are no fundamental problems with the scheme that cannot be overcome by either conditions or a Section 106 Agreement and content of the Agreement and conditions are suggested as follows:-

Legal Agreement to include:-

1. Public transport payment for bus services of £225,000
2. Crown Square works or other equivalent local highway intervention £150,000
3. Travel Plan monitoring £15,000
4. Improvements to cycle and pedestrian routes £50,000
5. Highway intervention measures to deter traffic diverting through Oker and Snitterton £50,000

Conditions to cover following:

1. Submission of Construction Management Plan
2. Creation of facilities for construction vehicles, plant and machinery
3. No development commenced until Estate Street Phasing and Completion Plan agreed
4. Before other operations commence detailed designs of permanent access arrangements to Matlock Spa Road agreed
5. Within 21 days of permanent access formal temporary access to close
6. No vehicular access to Snitterton Road
7. Detail of traffic monitoring to be agreed and implemented
8. Details of layout and construction of estate roads to be agreed
9. Roads to be constructed to at least base level before erection of dwellings
10. Internal estate roads to have minimum 2.4m x 25m visibility splays.
11. Properties not occupied until estate street provided with suitable turning facilities
12. Driveways to have 2.4m x 25m visibility splays
13. Estate street to have 25m forward visibility sightlines
14. Speed suppression measures with a view to 20 mph design speed to be agreed
15. No dwelling occupied until parking provided
16. Garages and parking spaces to be retained for that purpose
17. Secure cycle storage to be provided
18. No gates or barriers to open over highway
19. Drives to be no steeper than 1 in 10 for first 5m
20. Details of bin storage and collection to be agreed
21. Means of preventing surface water discharge onto highway to be agreed
22. Highway surface water disposal scheme to be agreed
23. Travel Plan implemented in accordance with agreed details
24. Details of future maintenance and management of streets to be agreed

5.14. NHS North Derbyshire CCG

Initial Consultation Response:

The service demand of 586 dwellings would not be easily accommodated. As it is unlikely that the CCG would support a single handed GP development the health contribution would ideally be invested in enhancing capacity / infrastructure with existing local practices. Need to consult with practices to establish how any contribution may be best utilised but based on standard patient use of GP facilities and the surgeries that require investment to expand a figure of £222,914 is identified.

Second Consultation Response:

Based on the revised number of dwellings a revised request for £192,939 is submitted.

Third Consultation Response:

Based on the further revision to numbers a revised request of £185,331 is submitted.

5.15. Derbyshire Constabulary Designing Out Crime Officer

Original Consultation Response:

Have general concerns about access to the rear of terraced rows. Individual garden access will be problematic and unless taken through plot will involve convoluted communal access to the side and rear or from poorly supervised courts. If shared access is chosen this should be via lockable gates.

Makes detailed comments zone by zone with common themes. Parking areas should be overlooked and footpaths should be overlooked and supervised and not narrow enclosure.

Footpath links that are unsupervised should be deleted.

Second Consultation Response:

The removal of zone 8 is noted. The majority of comments remain. Of particular concern is the retention of the footpath link to the back of the lower terrace which is principally not overlooked at ground level and consequently unsafe for pedestrians. This footpath should be removed.

5.16. Peak and Northern Footpath Society

Comment the lengths to which the developers appear to have gone to, to ensure that there are good pedestrian links through, into and out of the development. The proposed Snitterton link is particularly welcome. It is not easy to see from the submitted plans how the existing public footpath, Footpath 25, South Darley / Matlock 105, which is part of the Derwent Valley Heritage Way is to be treated. Trust that it will run through a wide green corridor and will be attractively treated. The full width of this path must remain unobstructed at all times. All new paths should be legally dedicated as definitive public footpaths so that public rights are secured.

5.17. Ramblers Association

No objection to the application. Note that South Darley Footpath 25 which runs along the boundary of the site is to be kept as a wide corridor and walking and cycling routes are incorporated.

This along with South Darley Footpath 26 should be kept open at all times during and after construction.

5.18 Economic Development Manager

Cawdor Quarry is identified within the Derbyshire Dales Economic Plan 2014-2019 (adopted September 2014) as one of six economic growth sites within the district.

The site's suitability for mixed use re-development has been established. In 2001, planning permission was granted for a development comprising 432 dwellings and 23 business/workshop units comprising 1897sqm of floorspace. To date 12 new homes have been completed at Limestone Croft on the quarry edge. The submitted application supersedes the previous consented scheme.

Policies EC2 and DS9 of the Derbyshire Dales Local Plan Pre-submission Draft (August 2016) allocate 1ha of land at Cawdor Quarry for new employment development comprising B1 and B2 uses.

The submitted application takes account of previous comments from the Economic Development team in relation to the location and type of the employment development proposed (i.e. flexible B1c light industrial accommodation) which is welcomed. For a 1ha

site a greater density of development than proposed would normally be anticipated but the design does provide for shared yard space / loading areas and has its own access and profile within the site, which is important. The amount of B1c floorspace to be provided should be confirmed with the applicant as the application refers to both 2,700 and 2,800 sqm. The District Council requires a minimum of 2,800 sqm internal floorspace to be provided.

Regarding specification, to provide for the needs of expanding businesses and retain flexibility for different occupiers, terraces should be capable of sub-division into larger units of a minimum of circa 300+ sqm. The design should also provide for roller shutter doors of adequate height for loading / unloading purposes. The proposed renewable features are welcomed but it will be important to maintain balance with the affordability of units within the local market.

Regarding phasing, early delivery of units is important in order to meet latent demand within the area and should be considered as part of the planning conditions if approved. This could include linking delivery of the proposed employment space to a limited proportion of residential development planned within phase B of the scheme. Further consultation with the Economic Development team is requested prior to approval of detailed phasing plans.

Allowing for the comments above, from an economic development perspective the application is supported.

5.19 Rural Housing Enabler

It is regrettable that there is no affordable housing proposed when 7% was secured on the original scheme.

There are government programmes which the developer could pursue, which would assist with development costs on larger sites such as remediation and infrastructure. Has the developer explored any of these government funding programmes? We could also explore affordable housing tenure options and consider other ways that affordable housing could be delivered on site.

6. REPRESENTATIONS RECEIVED

6.1. **Original Scheme** – A total of 216 individual representations opposing the scheme from the local area and further afield raising the following issues:-

1. Snitterton Fields lie outside the settlement boundary.
2. The development of Snitterton Fields would extend Matlock to Snitterton.
3. Snitterton Fields was rejected as a housing site as part of the Local Plan process.
4. The site will be readily visible from the National Park adversely affecting its setting.
5. Overriding the rejection of this site for housing in the emerging Local Plan and allowing development would set a dangerous precedent for other areas of countryside.
6. The developer has not justified going beyond the quarry with any financial appraisal.
7. The development of the greenfields could occur without the quarry being tackled.
8. The applicants costs incurred in holding the site for so long should be disregarded.
9. The location of houses on rising ground on a built platform will be particularly prominent.
10. The development would be prominent in views from Snitterton, Oker, Wensley Dale and Hackney.
11. Previous analysis by the Council suggests that this landscape is of high landscape sensitivity.

12. An adverse impact on the group of heritage assets at Snitterton would result which include the Grade I Snitterton Hall, The Grade II Manor Farmhouse, the moated site and medieval fishponds.
13. The adjacent National Park is very popular with walkers and visitors whose experience would be harmed.
14. The viability of Cawdor has always been doubtful but Groveholt should have carried out appropriate due diligence and this should not justify the construction of 118 dwellings on greenfields.
15. Groveholt should be made to pay a large bond to ensure Cawdor is developed.
16. Increased traffic on Matlock / Oker Road would be detrimental to highway safety.
17. Support the redevelopment of Cawdor and Permanite but do not support building on greenfields.
18. The proposal is contrary to the policies of the existing and emerging Local Plan.
19. Snitterton Fields are very waterlogged and unsuitable for building.
20. Allowing expansion of housing estates in this locality will damage tourism.
21. The distinctive settlement pattern of Oker and Snitterton would be damaged by the proposal.
22. Magpie Cottage in Snitterton has an association with William Wordsworth and the view from this would change dramatically.
23. The Council should not rely on the word of the developer in relation to viability and should have this independently scrutinised.
24. Brownfield sites in Matlock are plentiful and available removing the need to develop on the greenfields.
25. Allowing this development will give the green light to further development in the future.
26. Local infrastructure cannot cope with this expansion of housing.
27. The density of development proposed on Snitterton Fields is completely out of character with Snitterton or Oker.
28. The new housing on Snitterton Fields would be poorly served by transport or pedestrian links into the town.
29. The proposal is contrary to Policies S2, S3, S10 and HC17 of the emerging Local Plan.
30. The impact of development on the higher ground of Snitterton Fields cannot be mitigated by any planting.
31. Reasonable vehicle access can only be achieved by widening the roads which will damage the character of these lanes and impact on wildlife.
32. Schools and doctors in particular are at capacity.
33. The profits made on Limestone Croft do not appear in the applicant's justification.
34. Snitterton Fields gives you a sense of arrival as you enter the National Park.
35. The design of the development is out of character with the locality.
36. The local lanes are unsuited to increased usage by vehicles and bottlenecks will result in pollution.
37. The development could increase the risk of flooding from rainwater runoff.
38. Wildlife habitats and corridors will be destroyed.
39. The nature of the housing is not what is required to meet local need.
40. The application has been submitted seeking approval ahead of the Local Plan being ratified.
41. The site will be exposed in views from higher ground on either side of the valley.
42. Overloading local services does not sit well with the healthy spa image being promoted.
43. How can the planners stop development extending up to Snitterton if this proposal is approved.
44. The quarry should be built out first.
45. The site is less than 200m from the National Park and cannot avoid substantial impact upon it.
46. The deserted medieval village at Snitterton would have its setting harmed.

47. Traffic in Oker and Snitterton has increased since Sainsburys was built and it is used as a rat run between Winster and Matlock even for large vehicles.
48. Traffic calming in the locality needs implementing.
49. The route from Permanite to Oker should not be used for construction traffic.
50. The quarry development is thoughtful and interesting but should not be expanded to Oker and Snitterton in the future.
51. The number of car parking spaces may not be sufficient.
52. The Snitterton Fields site was the lowest rated in those considered as part of the Local Plan selection process.
53. The parcel of housing taking direct access to Snitterton Road will exacerbate existing highway problems.
54. The prosperity of towns like Matlock is intrinsically linked to the quality of their landscape setting.
55. Traffic through Darley Bridge would increase and it is already a bottleneck with the narrow bridge.
56. The Local Plan has allocated sufficient housing without needing to consider the release of Snitterton Fields.
57. The area is heavily used for recreation by walkers, anglers, cyclists, runners and horse riders and their recreational experience will be harmed.
58. Double yellow lines need introducing to prevent free parking at the bottom end of the Spa Road, otherwise congestion will result.
59. A footway the length of the Matlock Spa Road should be formed.
60. The gateway zone has flat buildings which are out of keeping with character of the rest of the development.
61. The development lacks the affordable housing needed to meet local need and large expensive housing will only serve to draw in people from outside the area and force young people out.
62. The inclusion of 4 and 5 storey blocks will adversely impact on the views from Limestone Croft.
63. Second homes should be occupied before new houses are built on greenfields.
64. The woodland associated with the SSSI is a logical end point to development and provides a visual screen to urban sprawl.
65. The proposal is contrary to Local Plan Policies NBE8, SF3, NBE16 and NBE24 and SF5.
66. Given the nature and impacts of the development the Council should consider if an Environmental Impact Assessment is required.
67. Proposed screening copses in Snitterton Fields would take years to mature and would not be effective in winter months.
68. The development of Snitterton Fields would be readily visible from footpaths around Oker and Oker Hill even if landscaping is implemented.
69. The major and adverse impact on the landscape and landscape character of the area and the setting of the National Park make the development an unsustainable form of development contrary to the National Planning Policy Framework.
70. The adjoining SSSI would be adversely affected by development on Snitterton Fields.
71. The original assessment of landscape impacts is misleading and fails to acknowledge that the site will appear in the views of the heritage assets at Snitterton from the National Park.
72. The application lacks a proper Heritage Assessment, a matter which has been highlighted by Historic England and the Development Control Archaeologist.
73. A full Landscape and Visual Impact Assessment should be carried out for the greenfield component of the site.
74. Full site sections for the greenfield part of the site should be provided.
75. A full open book approach to viability is required and the information should be independently assessed for the Council to follow good practice.
76. The scale and sensitivity of the site with a SSSI and close proximity to a National Park means screening for EIA is vital.

77. The Derwent Valley Heritage Way would be adversely affected.
78. A profit can still be made on this development site without Snitterton Fields.
79. Noise and light pollution will result from development of greenfields.
80. Allowing a development with such a low percentage of affordable housing would send out the wrong message to other house builders.
81. No specific provision is made for retirement living and its location would be well suited for this.
82. The designs do not fit in with local architecture.
83. The development will adversely affect wildlife and the area supports tawny owls, badgers, foxes, hares, dragonflies, bats and other species.
84. The failure of Groveholt to deliver Cawdor Quarry to date gives little confidence that this scheme will progress.
85. The developers offer to allow the meadows to be open access land would still not prevent it being developed in the future.
86. The design and materials of the new flats on Matlock Spa Road are out of keeping with dwellings constructed at Limestone Croft.
87. The site is well used by a range of bat species. Whilst bat boxes are offered up they are not used by all species and the development will therefore be detrimental to the maintenance of the population of the species contrary to the Habitats Regulations.
88. The shop proposed would be better located at the far end of the development.
89. The developers suggestion of moving the National Park boundary to protect the remaining fields suggests a desire to dictate to the National Park as well.
90. This will lead to Matlock becoming a dormitory town for surrounding cities.
91. The development will result in another 1200 cars using the unsuitable surrounding road network.
92. The applicants suggestion of low density on brownfield land justifying building on greenfields is a perverse argument.

Matlock Civic Association

1. The inclusion of Snitterton Fields is not supported. The site lies outside the Settlement Boundary and is not allocated in the Draft Local Plan. The case has not been made on financial grounds. The case made is vague and the following issues are highlighted:-
 - (i) The historic costs incurred in the relief road are of limited relevance.
 - (ii) The figures on remediation range between 5 and 8 million which equates to £10 - 15,000 per dwelling when you exclude Snitterton Fields – not a particularly high figure.
 - (iii) No information is submitted on how funding from Limestone Croft is utilised.
 - (iv) The costs of remediation were accounted for in the earlier scheme which included an element of affordable housing.
 - (v) The purchase price should have reflected all of the exceptional costs.

The Settlement Boundary, along the boundary of the quarry is the logical geographical boundary. The development of Snitterton Fields would be contrary to Policy NBE8 of the Adopted Plan and Policies S3 and S5 of the Emerging Local Plan.

2. Phasing should be undertaken from the east in order that future residents do not have to drive through a half finished building site and to ensure that the quarry is dealt with avoiding the easy bits being picked off early. It is noted that this is the applicants general intention but the area accessed direct off Snitterton Road should be excluded.

3. The links of cycling and pedestrian routes to the wider network should be fully explored to maximise sustainability. In particular the idea of a link across the river to create a route to the nearest school and sports centre should be explored.
4. The use of car parking courts needs careful consideration. They can become a focus for antisocial behaviour if not well designed with consequent on-street parking. A maximum of 10 cars should be parked in any one parking court.
5. The use of high quality road surfacing and landscaping is welcomed. However, it needs to be resolved with the Local Highway Authority if they will adopt and maintain these high quality surfaces.
6. The open spaces are generous but challenging. It is assumed that the District Council will not wish to adopt these. It is, therefore, important to ensure that a management company is appropriately financed both initially and through subsequent resident payments.
7. In relation to the housing layouts it will be necessary to define areas for adoption, modify some parking courts to ease vehicle access especially for delivery and clarify areas for cycle and bin storage.
8. In relation to the house types the larger / bulkier buildings should be confined to the east of the site. Taller buildings to the west will not work. The dwellings at the south-west corner will be very prominent perched on a raised platform and would justify refusal. Social housing should be located at the eastern end for ease of access to the town.
9. The development needs to contribute to providing school places. The site is not close to schools and accessing schools will exacerbate highway congestion. Provision for nursery age children and meeting places for the elderly should be included in the plans.
10. Careful consideration needs to be given to materials. Use of limestone is welcomed, if appropriately laid, but dark brick may not be appropriate. Hopton Rise is a good example of how materials can be blended. Tree species chosen should reflect the context and be native to the area.

Campaign for the Protection of Rural England

1. Support the development of Cawdor Quarry and the Permanite site as sustainable brownfield sites adjacent to the established urban area.
2. Strongly oppose development of Snitterton Fields. It was rejected as part of the emerging Local Plan process on landscape sensitivity grounds. Even applying paragraph 14 of the National Planning Policy Framework in the absence of an up-to-date Local Plan the harm significantly and demonstrably outweighs the benefits.
3. The development is contrary to paragraph 17 of the National Planning Policy Framework as it fails to recognise the intrinsic character and beauty of the countryside. Paragraph 109 is also contravened as it does not protect or enhance a valued landscape. Whilst it is recognised that planning is a balancing exercise the harm to landscape in this case is sufficient to outweigh any economic benefits.
4. The absence of a 5 year housing supply does not override consideration of environmental harm.

5. The scheme is contrary to Policy NBE8 of the Adopted Local Plan.
6. The Emerging Local Plan can now be given some weight and the proposal contravenes Policy S5 and PD5 of this Plan.
7. Snitterton Fields is a charming and distinctive open vale landscape. It is characterised by open fields, pockets of woodland and scattered settlements. It is bounded by the steep slopes of Masson Hill and bounds the National Park. It is a high value landscape and any substantial intrusion would be irrevocably damaging.
8. The local landscape is historically important having regard to the range of heritage assets and has remained substantially unchanged over a very long period with no suburbanisation.
9. Snitterton Fields are highly visible from many local vantage points including Oker hillside, from the Peak Park the west and south and from Farley and Darley Hillsides. The landscape impacts would therefore affect a much wider sweep than the immediate area.
10. The site does not have a visual connection to Permanite and Cawdor beyond which are separated by a deep screen. Snitterton Fields relates to the rural hamlets of Snitterton and Oker.
11. No mitigation can avoid the substantial and irrevocable harm to the character and appearance of the landscape.
12. The development will harm the adjacent protected landscape of the National Park by impact on its setting.
13. The development will adversely impact on the tranquillity of Snitterton Fields.
14. The development will lead to light pollution.
15. Increased traffic will harm the character of local rural lanes.
16. The applicant has not put forward financial information to justify their assertions.

Friends of the Peak District

1. The landscape impact on the National Park will be unacceptable. Whilst the quarry is screened Snitterton Fields is highly visible from Snitterton village and from the valley slopes to the south and west which emphasises its impact.
2. Outside of the Settlement Framework for Matlock the characteristics of the landscape change to those of the adjacent National Park. The site is very much within the National Park from a landscape and visual perspective and therefore the purpose of the National Park would be damaged. The influence on the National Park of Matlock only come into effect at 600m. Snitterton Fields lies in this zone and the impact on the National Park is, therefore, a significant material consideration.
3. The suggestion of moving the National Park boundary to prevent further development is unworkable as it lies outside the remit of the application and would require separate legislative provision. In any event, National Park policy is not focused on containment.

4. The proposal lies outside the emerging Local Plan Settlement Boundary and is contrary to emerging Plan Policy S5. These should carry significant weight as Policy S5 does not allow development where it will result in adverse impact on the purposes of the National Park or is harmful to its valued characteristics.
5. The suggestion that the scheme is justified on financial grounds is challenged as this argument has been previously advanced and no progress has been made on the scheme.
6. In conclusion, whilst the redevelopment of the quarry is welcomed this can be completed without the development of Snitterton Fields. The harm to the landscape and to the National Park that would be caused by the greenfield element of the scheme would be wholly unacceptable and cannot be justified by linking it to the quarry scheme.

Butterfly Conservation East Midlands

Parts of the quarry are rough grassland within an Open Mosaic Habitat landscape context. This habitat is likely to support the dingy skipper butterfly. This species has been in decline in Derbyshire and is a Lowland Derbyshire and Peak District Biodiversity Action Plan Species and a NERC Act Section 41 species of principal importance.

The site should be surveyed for the key butterfly species including the dingy skipper and this needs to be done at the right time of year in sunny weather. The site should be surveyed before a decision can be made.

6.2. First Amendment Representations

A total of 79 individual letters of representation received whose content can be summarised as follows:-

1. Object to continual presence of dwellings on Snitterton Fields.
2. The houses on Snitterton Fields are detrimental to landscape character and appearance in an area of high landscape sensitivity.
3. The setting of the National Park will be adversely affected.
4. The setting of important heritage assets will be adversely affected, namely Snitterton Hall, Manor Farmhouse, the moated site and medieval fishponds.
5. The Local Plan Inspector has retained the proposed Settlement Boundary and not extended it towards Oker and Snitterton because of its proximity to the National Park.
6. If Committee were minded to support the revised scheme it would be essential to create planting screens before any other development.
7. The quarry should be built out before greenfield development.
8. All traffic should be directed via Matlock.
9. Previous objections remain. The brownfield components are acceptable but building on greenfields is not.
10. The site of Snitterton Fields was the least acceptable site considered as part of the Local Plan process.
11. No consideration has been given to community infrastructure such as doctors, schools or dentists.
12. The road from Sainsburys to Snitterton is not suitable for increased traffic.
13. The proposal would be contrary to Policies S2, S3, S10 and HC17 of the emerging Local Plan.
14. The emerging Local Plan should be given increased weight as it approaches adoption and conflict with the Settlement Boundary and policies should mean the application should be refused.
15. Any decision to break beyond identified settlement frameworks would set a dangerous precedent and make it difficult to protect the countryside elsewhere.

16. The inclusion of a substantial landscape screen is at odds with existing landscape character.
17. The experience of walkers and visitors utilising footpaths and enjoying the landscape of the National Park would be adversely affected.
18. New tree planting may adversely affect the existing balance of flora and fauna.
19. Urban sprawl of Matlock will result from building on Snitterton Fields destroying its separation from the historic rural hamlets of Snitterton and Oker.
20. Other brownfield sites are preferable for development.
21. Whilst the reduced number of dwellings on Snitterton Fields is welcomed the 19 proposed will still be a blight.
22. The proposal will lead to loss of wildlife habitat and corridors.
23. Flood risks will result.
24. If a developer cannot develop the site and make a profit it should be handed to the community to build upon.
25. Regenerating the quarry with a range of facilities is welcomed but this should not be at the cost of the countryside which is a key asset to attract visitors.
26. The financial case made is not convincing and the owner should have carried out due diligence on purchase.
27. No access for construction vehicles should be allowed through Snitterton and Oker.
28. The site of Snitterton Fields remains widely visible from high ground to the south, west and north.
29. The developer has stated that building on Cawdor and Permanite is viable without Snitterton Fields.
30. The developer may cherry pick the greenfield site only and leave the rest of the quarry untouched.
31. The developer has made little progress and not reserved any funds from Limestone Croft to start on the quarry.
32. No confidence in Goveholt carrying forward the development based on records at Companies House.
33. The developers initial proposal was tactical so that as they reduce the scheme they look more reasonable.
34. If granted the developer will subsequently revise their plans for the remaining areas of Snitterton Fields.
35. The Local Plan has allocated sufficient land without Snitterton Fields.
36. It is not appropriate for Goveholt to donate the remaining greenfields to the community.
37. The Council should ensure that the scheme incorporates measures to deter traffic diverting through Oker and Snitterton in line with the amendment to Policy DS9 or the emerging Local Plan.
38. The land stabilisation, hard landscaping and general landscaping costs equate to about £40,000 per unit. These are exceptionally high even for a highly contaminated site which Cawdor is not.
39. The sales value quoted do not take account of sales price inflation over time which will raise the residual value by several million.
40. The viability assessment submitted by the applicants should be independently assessed.
41. The character of Snitterton and Oker as rural hamlets surrounded by agricultural land would be irrevocably harmed.
42. The proposal to develop Snitterton Fields is contrary to Policies NBE8, SF3, NBE16, NBE24 and SF5 of the Adopted Local Plan and Policies S02, S4, PD5, S3, S5, S04, S10, PD2 and PD1 of the emerging Local Plan.
43. The view from Willshores tree on Oker Hill, referred to by William Wordsworth from when he stayed at Magpie Cottage will be changed.
44. Although the higher Snitterton Road field has been removed from the scheme, the development will still result in significant adverse impacts upon landscape character

- in an area of high landscape sensitivity. Where it is not possible to overcome the effects through mitigation and there is no capacity for development.
45. The harm identified to the setting of the National Park is echoed in the views of the National Park Authority who have found harm in the amended scheme to the setting of the Park which would harm the potential to adversely affect the ability of visitors and residents to enjoy its special landscape qualities.
 46. The revised scheme still results in harm to the heritage assets as revealed in the response from County Archaeologist, who concludes that the revised scheme still reads as an intrusion of built form ... where the proposed housing still achieves a level of massing so as to disrupt the sense of Snitterton and its heritage assets as the centre of this little landscape.
 47. Although tree planting may assist from lower views in providing mitigation of impacts on heritage, viewed from higher ground to the south and west, the planting will not be effective and harm will result to heritage assets.
 48. The development is inappropriately sandwiched between a SSSI and a National Park.
 49. The wildlife in the locality which includes kingfishers, tawny owls, herons, badgers, foxes, hares, dragonflies and bats would be harmed by the development.
 50. The failure to provide affordable housing in the amended scheme shows a disregard for local housing needs.
 51. The housing mix does not reflect local needs identified in the emerging Local Plan and local people will not be able to afford them.
 52. Dwellings should be built at the top of Matlock Spa Road rather than on Snitterton Fields.
 53. The design of flat blocks on the Permanite site is inappropriate in terms of their mass, height and materials.
 54. The offer of the Meadows being open access land would not prevent them being developed in the future.
 55. Snitterton has to stay as a separate hamlet, an English county seat established around an Elizabethan Hall.
 56. The Council can demonstrate an acceptable housing land supply and do not need to go outside proposed settlement boundaries.
 57. The development should be screened under the EIA Regulations.
 58. The development of the greenfields is socially and environmentally unsustainable.
 59. The viability appraisal shows a significant residual land value. The solution to the problem is to reduce this and consequently remove development from Snitterton Fields.
 60. The houses above Sainsburys are intrusive and should not be repeated.

Matlock Civic Association

1. Welcome the significant reduction in the proposed area of development in Snitterton Fields.
2. Still oppose the development of dwellings on Snitterton Fields. The provision of 19 dwellings on the fields is of limited importance to the financing of the scheme overall and would set an unfortunate precedent.
3. Phasing should be confirmed as starting from the two access roads to the east.
4. In relation to cycling and walking remain disappointed that a clear vision of how the development will link to the town's amenities is not included. There is a need to create readily useable links to the school and ARC and a bridge would achieve this. Suggest a condition is included to achieve these aims and a commuted sum set aside to provide a link over the river which could be implemented by Derbyshire County Council.
5. The parking courts proposed need to be set out in a quality way with adequate provision within the management regime for their future maintenance.
6. In relation to the design detail of the roads and footways note that only the main access roads would be adopted. It is assumed that other roads and footpaths would

be maintained by the management company. As the proposals include highway trees and non-tarmac road surfaces, the Council should ensure that the additional commuted sum to maintain these identified in the scheme is adequate to ensure future maintenance.

7. In relation to open spaces, cliffs, lakes and non-adopted highways it is important that the Council ensure that the management company has adequate initial financial provision and appropriate long-term certainty over management fees from households.
8. Earlier comments about the detail of the design still apply.

Campaign to Protect Rural England

The objections made in February still apply. Although the number of houses proposed for the Snitterton Fields part of the site has been reduced, as far as the CPRE are concerned any development on the fields is unacceptable for all of the reasons originally set out. The fields have very high landscape value and should not be developed at all.

Rowsley Parish Council:

First Scheme comments:

Object to the greenfield development. Support the development of Cawdor Quarry and Permanite but feel the use of Snitterton Fields is unnecessary and goes against the Local Plan. If it is approved it could lead to other applications which go against the Local Plan. This site is on the edge of the National Park and should be protected when brownfield opportunities are available.

The type of housing proposed is not suitable for residents currently needing housing in the area and so will attract new residents. This leads to a concern over how the local services will cope with the new houses particularly schools, doctors and dentists.

6.3 Second Amendment Representations

23 individual representations and a representation from Matlock Civic Association and Campaign to Protect Rural England.

The individual representations make the following points: -

1. The Snitterton Fields site was considered the worst of 135 new housing sites put forward as part of the local plan.
2. Allowing development outside newly established boundaries would set a dangerous precedent and no countryside would be protected.
3. No formal justification for building on Snitterton Fields in terms of viability.
4. The Snitterton Fields element of the proposal would be urban sprawl.
5. Major adverse impact would result on landscape character and the setting of the National Park.
6. Adverse impact to the SSSI would result from developing the field next door.
7. The revised assessment of impact on Snitterton is too limited.
8. Once you allow the developer to come onto Snitterton Fields they will come back for some more.
9. Brownfield sites should be developed in preference to green fields.
10. This greenfield development could be visible from Snitterton, Oker, Wensley and much of Hackney.
11. The only acceptable number of dwellings on Snitterton Fields is nil.
12. Given the margin of error in these exercises it is difficult to accept that 5.1/2 dwellings are the difference between viability and non-viability.
13. The local plan is sound and suitable for adoption and excludes the Snitterton Fields from development.
14. The Planning Inspector on the local plan concluded that there was no evidence that additional land at Snitterton Fields was necessary to ensure the site came forward

moreover he identified the overriding constraint of the National Park and Heritage Assets.

15. Screening of the housing would be ineffective.
16. The five or six houses could be easily integrated into the main body of the quarry.
17. The developer would need to demonstrate that the planning benefit of the development outweigh the harm to landscape, the siting of the Park and Heritage Assets.
18. The financial benefit of the houses in Snitterton Fields is marginal in the context of the overall development.
19. The impact on the National Park would adversely affect the ability of residents and visitors to enjoy the area.
20. Snitterton would lose its identity if building is allowed on the Fields.
21. The revised application includes no affordable housing. The Council need to provide in the order of 100 per year to meet demand. Allowing this development would worsen the shortfall.
22. The District Valuer identified the potential for 36 units or 7% why engage experts if their assessment is ignored.
23. Allowing some development of greenfield land near Permanite to deliver affordable housing is a suitable trade off and will allow the council to meet its corporate objections.
24. The earlier application boundary for 118 dwellings in Snitterton Fields has been retained.
25. The inclusion of a screen of planting at Snitterton Fields would be out of keeping with the landscape character.
26. The view down Wensley Dale from the higher ground in the National Park would be irreparably harmed.
27. The Peak Park are objecting to the scheme.
28. The development of Snitterton Fields goes against the strategic objective of the plan of protecting the setting of the National Park.
29. As the current scheme reduces the units by 20 they could all have been removed from Snitterton Fields.
30. The developer has excluded previously approved development at the top of Matlock Spa Road.
31. The described development on Snitterton Fields excludes the numerous garages and gardens.
32. The 5.5 houses in Snitterton Fields amount to only 1.1% of the total. If the loss of these scuppers the viability the project is not viable at all.
33. The developer has a fall-back position of the extant scheme.
34. Further amendment should be sought to align with the local plan.
35. The development should be determined in accordance with the development plan unless material considerations indicate otherwise. The development conflicts with the emerging development plan.
36. The viability appraisal and independent scrutiny rely to some degree on assumptions. There must be margins of error which could justify deleting the 5.1/2 units in Snitterton Fields.
37. The character of the countryside viewed from higher ground will be dramatically changed. The loss of The Copse which was to be retained originally will exacerbate this.
38. The visual information submitted is over generous in suggesting the screening that will be in place at the western end and the two and three storey units will still appear prominent.
39. The recent decision in the court of appeal on Keddleston Hall recognises that heritage assets do not have to be visible from land that forms their setting and local authorities need to look beyond merely visual and physical relationships. There would be harm to the setting of those heritage assets at Snitterton Fields from the urbanisation of the landscape.

40. There is a difference between housing need and housing demand and this does not address the former. The scheme is demand driven whereas local people cannot afford market dwelling.
41. The land value only rises if permission is granted and this should be properly reflected in any appraisal.
42. The proposal would be contrary to emerging plan policies S2, S5 and PD5 as it breaks into the countryside beyond a settlement and impinges on the National Park setting.
43. The development of Snitterton Fields would be particularly prominent in views from higher ground on footpaths at Leawood Farm, Wensley Dale and Oker Hill
44. Development of the Snitterton Fields will adversely affect tourism.

Matlock Civic Association

Do not appear to have been many changes therefore ask for comments on first set of amendments to be fully reconsidered.

Campaign to Protect Rural England

Objections still apply. Although the number of houses proposed for Snitterton Fields have been reduced CPRE consider that any development on the fields is unacceptable for all the reasons originally set out. The fields have very high landscape value and should not be developed at all.

Snitterton Fields have not been included in the draft local plan. The Planning Inspectors comments explicitly stated that the development of the fields was unnecessary to the viability of the Cawdor Quarry development.

7. OFFICER APPRAISAL

Introduction

7.1. This is a complex site with an involved history but the following main material planning issues that come into play in assessing the merits of this revised submission are as follows:-

- The site history
- The current policy context
- The location of the site and its potential contribution to the housing land supply
- The viability of the scheme and consequent impact on the provision of affordable housing and community infrastructure
- The impact of the development in terms of encroachment into the countryside and effect on the character and appearance of the landscape
- The impact of development on the setting of the National Park
- The impact of development on the significance of heritage assets
- The housing mix and design in context
- The Impact of Development on the Highway Network
- Impact on wildlife and ecology
- The phasing of the scheme and the delivery of employment provision
- Infrastructure Contributions / Section 106 requirements

7.2. The Site History

7.2.1. Planning permission was granted for the mainly residential development of the eastern portion of Cawdor Quarry in 2001. At that time many of the infrastructure works were common with the proposed development of Sainsburys supermarket. The construction of the supermarket delivered the rerouting of the A6, the adjustment to the railway line and the construction of Matlock Spa Road and other highway and infrastructure changes in the town centre. The initial scheme for residential use was commenced but has been subsequently amended by later applications which also included land immediately to the south of Matlock Spa

Road opposite the entrance to Hall Dale Quarry. The only part of the overall scheme to be built out to date is the development of 12 dwellings at Limestone Croft. The original scheme did not include the development of the Permanite site which was at the time in industrial use, did not involve any incursion beyond the limits of the quarry site and incorporated a total of 32 affordable units, amongst other items dealt with in an associated legal agreement.

7.2.2. The principle of a predominantly residential scheme for Cawdor Quarry has, therefore, long been established but as the applicants have explained for various reasons has not substantively come forward to date. The site remains a sustainably located brownfield opportunity that can connect well into the town of Matlock and contribute substantially to meeting its housing supply going forward but its development in comparison with some of the housing sites allocated in the Local Plan remains challenging.

7.3. The Current Policy Context

7.3.1. The submission of the current application has straddled the later stages of the preparation of the newly adopted Derbyshire Dales Local Plan. This new Plan is in full accordance with the National Planning Policy Framework and is the starting point for the consideration of any application. Development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise.

7.3.2. The site itself is covered by a number of plan policies and a range of other policies in the Plan are directly applicable to the consideration of its merits.

7.3.3. Policy DS9 is the site specific policy for land at Cawdor Quarry. The policy covers the 28.44 hectares of land at the quarry which incorporates the former Permanite site as well. It allocates the site for mixed use development of 470 dwellings and 1 hectare of employment land and incorporates the Permanite site. The policy requires:-

- A comprehensive layout and masterplan
- A detailed phasing programme covering the whole site. This requires the employment and residential development to happen concurrently or as otherwise agreed
- A transport assessment and travel plan including full details of highway design, consideration of public transport, improvements to pedestrian and cycle links, implementation of measures to deter traffic diverting through Oker and Snitterton and exclusion of any vehicular access from the west.
- 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 open space and green infrastructure on site with links to the wider countryside.
- Desk and field based archaeological assessment.
- The submission of an Historic Environment Assessment to consider the impact on the setting of Snitterton Hall and other heritage assets.
- Preparation of a scheme to address the impact on visual amenity including light pollution.
- A site specific Flood Risk Assessment.
- Developer contributions towards the provision of infrastructure, educational services and other community services, greenspace and biodiversity.
- Ecological Assessment
- Contamination and ground condition survey and any mitigation that arise from this.

- 7.3.4. Policy HC2 deals with housing land allocations and allocates land at Cawdor Quarry for 432 dwellings under allocation HC2(t) and allocates the former Permanite site for 50 dwellings under allocation HC2(y).
 - 7.3.5. Policy EC2 deals with Employment Land Allocations and allocates land at Cawdor Quarry under allocation EC2(d) for 1 hectare of B1a, B1b, B1c or B2 provision.
 - 7.3.6. The site is also referred to in Policy S7 of the Plan which sets out the Matlock / Wirksworth / Darley Dale Development Strategy and recognises the importance of Cawdor in delivering sustainable growth in terms of both its residential and employment potential.
 - 7.3.7. Policies S2, S3 and S4 of the Local Plan set out the settlement hierarchy, explain the Council's approach to development within the Settlement Boundaries and set out those exceptions to the presumption against development outside Settlement Framework Boundaries. The majority of the site lies within the Settlement Framework Boundary for Matlock but Snitterton Fields to the west of the site is outside the defined boundary.
 - 7.3.8. Beyond these spatial policies, or policies with a spatial component, the full range of topic area policies referred to in the policy section of this report apply. These are discussed in more detail in the sections of this appraisal dealing directly with those topic areas such as heritage impacts, housing mix and design.
 - 7.3.9. The newly adopted Local Plan in global terms in conclusion supports the provision of a predominantly residential redevelopment of Cawdor Quarry and Permanite along with the provision of 1 hectare of employment land. It does not in current circumstances offer any support for going beyond the allocated site boundary into open countryside and this component, even though much reduced in the amended scheme, is clearly contrary to the Local Plan.
- 7.4. The Location of the Site and its Potential Contribution to the Housing Land Supply
- 7.4.1. Cawdor Quarry and Permanite have a long industrial legacy. They are currently in a degraded state although the Quarry has over the years benefitted from natural regeneration which has led to an interesting assemblage of habitats recognised in designation as a local wildlife site. The site immediately adjoins the town of Matlock and performs well for sustainability in comparison with other sites that have been considered and allocated as part of the Local Plan process. Its housing led redevelopment is considered beneficial to the environment and sustainable given the potential relative ease of access to the owns amenities on foot or by cycle.
 - 7.4.2. The applicants have given an explanation as to why the development has not occurred historically with only 12 of the projected 432 units delivered. What is clear is that this site, despite the limited previous supply of housing sites for developers as part of the 2005 Local Plan, has not proven sufficiently attractive because of its large upfront costs, challenging site terrain and uncertainty so as to secure a meaningful start to development in the main body of the quarry.
 - 7.4.3. These challenges remain, but at the same time the development of Cawdor Quarry remains central to the Council's aspirations of economic and environmental regeneration within the central corridor. It will play an important role in delivering the Council's Objectively Assessed Housing Needs and will also contribute to the delivery of the Council's 5 year housing land supply. It is clearly important that a

scheme is arrived at for this site that is actually deliverable notwithstanding the fact that it may to some degree be in conflict with element of the Local Plan.

7.5. The Viability of the Scheme and Consequent Impact on the Provision of Affordable Housing and Community Infrastructure

7.5.1. The scheme as originally submitted incorporated 578 dwellings with a major incursion into the open fields to the west of the quarry. This scheme was the subject of objection from the National Park Authority and Historic England and in response to the strength of these objections, in relation to the impact on the setting of heritage assets and the National Park setting, the applicants reconsidered their proposals and deleted development from the Upper Snitterton Fields to the south of the access track. In the process the composition of the housing was amended to remove the 78 affordable units. This scheme of 507 dwellings incorporated no affordable housing and 19 dwellings were included beyond the Settlement Framework Boundary.

7.5.2. As this revised scheme neither sat fully within the draft allocated site or was compliant with emerging policy in relation to the delivery of affordable housing, the applicants were asked to submit a Viability Assessment to support their assertions that the scheme was incapable of being policy compliant.

7.5.3. In accordance with best practice the Council commissioned the District Valuer to independently assess the viability case made on their behalf. This was a relatively protracted process but involved the full and proper scrutiny of all the developer's identified costs and returns using appropriate specialist expertise and having due regard to the nature of the development site. The conclusions of the analysis undertaken by the District Valuer were as follows:-

1. A policy compliant scheme providing 30% affordable housing would be unviable as it produces a negative land value.
2. Based on an 80/20 split of affordable housing social rent / intermediate housing the scheme can still demonstrate financial viability with 7.1% affordable housing across the phases of development excluding Phase 1. This would equate to 36 units of accommodation.
3. The appraisal incorporates two items within a Section 106 Agreement. These have a combined cost to the developer of £1.928 million and incorporates the provision of education places to satisfy the requirements of Local Education Authority and the additional costs associated with implementing highway works to a higher standard. These have been accepted as justified exceptional costs.
4. The District Valuer disagreed with the applicant's consultant on Gross Development Value, Construction and Abnormal Costs, Developers Profit, Development Period and Finance Cost and Site Value. The conclusions on construction costs, finance and site value have a positive effect on viability and explain why the District Valuer has concluded that 7.1% affordable housing is feasible based on a reasonable return to the site owner which still incentivises the site coming forward for development.

7.5.4. A summary of the findings of the District Valuer has been made available on the public file. The developer has chosen to accept their findings and following discussions with officers has chosen to amend the scheme to reduce the number of dwellings in Snitterton Fields in preference to providing the 36 affordable units. The reduction in units proposed is based on a comparison of floorspace and

because the units on Snitterton Fields are larger than a social housing unit the reduction in numbers is a further 20 units bringing the quantum down to 487 dwellings.

7.5.5. The scheme, as amended, therefore, does not include affordable housing. The failure to meet the needs of affordable housing would be in conflict with the aims of Policy DS9 and HC4 notwithstanding the failure to accord these policies is based on the competing desire to reduce incursion into Snitterton Fields.

7.6. The Impact of the Development in Terms of Encroachment into the Countryside and Effect on the Character and Appearance of the Landscape

7.6.1. As detailed above, the scheme has evolved from that first submitted in order to respond to the concerns of Historic England and the National Park Authority having due regard also to the extent of public concern. The scrutiny of the viability assessment has also revealed an opportunity to further reduce the incursion of development into the countryside. In its amended form the development only extends beyond the settlement / allocated site boundary immediately to the west of the Permanite site. The maximum incursion at this point is 45m but the boundary of development is aligned to curve round in an arc which sweeps northwards from the existing tree belt which defines the quarry boundary to the south. Tree planting will be included to help to create a substantial boundary. The dwellings on this western edge of the development are large footprint units within spacious grounds. The actual incursion of buildings beyond the existing boundary is consequently 5½ dwelling units.

7.6.2. This encroachment into the countryside by spilling beyond the quarry boundary will harm its open character and appearance to the detriment of the landscape. The degree of harm does, however, have to be quantified. Although there are views from higher ground to the south-west above Snitterton and from higher up above Oker, the reduced break out into the field is contained to the immediate south by the quarry and woodland. Planting is also nearby to the north-west which provides a degree of screening. The application has indicated an intention to carry out new planting to contain the western boundary at the start of the overall project. Given this, the relatively flat nature of the site and the existing backdrop of the Permanite site, which will have additional buildings constructed upon, it is considered that harm to the character and appearance of the countryside can be logically and substantially mitigated in the reduced scheme. The remainder of development at the western end of the site will have a degree of visibility but views will be filtered by planting and any harm is not significant having due regard to the extant permission that exists. Although the scheme is in conflict with Policies S4 and PD5 of the Local Plan, the harm caused is mitigated to some degree by the factors discussed above.

7.7. The Impact of Development on the Setting of the National Park

7.7.1. The scheme as originally submitted was identified by the National Park Authority to cause significant detriment to the setting of the National Park. In essence it closed the gap between the Park and Matlock eroding the sense of separation. In addition the development would also have been widely visible both in the immediate context of the Park boundary but also from higher ground and footpath routes to the south and west. The enjoyment of the Park's special landscape qualities would have been harmed for visitors and residents.

7.7.2. The first revised scheme also attracted an objection from the National Park as consultee. They maintained that the revised scheme, because it still involved encroachment beyond the previously developed land and quarry areas into part of

the undeveloped Snitterton Fields, would have significant landscape and visual impact and would harm the setting of the Park.

7.7.3. The views of the National Park Authority on the latest revision maintain objection on the basis that setting could be adversely affected. Notwithstanding this, it is considered that the impact on the National Park setting has been further reduced. Viewed from the south the development will to some degree be screened by existing planting. This existing planting will be continued around to soften the impact of development. Although there will still be incursion into the landscape closing the gap to the National Park, assuming the planting occurs at the start of the development process and buildings are relatively sparsely arranged within landscaped grounds, the views from low level across from Snitterton and the road will significantly be ameliorated. Views from higher ground will still be evident because of the dramatic changes in level that occur but these views will have a backdrop that will encounter dramatic change with the redevelopment of the wider quarry site.

7.7.4. The impact on the setting of the National Park identified includes a degree of conflict with Policies S1 and S4 of the Local Plan which needs to be weighed in the planning balance.

7.8. The Impact of Development on the Significance of Heritage Assets

7.8.1. Snitterton and its immediate surroundings has a range of important heritage assets. The proximity to the Grade I Snitterton Hall and scheduled monuments engaged Historic England as a consultee. As can be seen in the consultee response they expressed serious concerns in relation to the original application. They considered that the proposed development would cause harm to the significance of these assets through the alteration of their rural historic landscape settings insofar as the development extends beyond the former Cawdor Quarry and Permanite Works. They considered that these impacts would not occur if the development were contained to Cawdor Quarry and Permanite.

7.8.2. Historic England were subsequently consulted on the first set of revised plans and confirmed that they addressed their concerns. This view, not surprisingly, also applied to the further revisions.

7.8.3. Whilst the views of Historic England are reassuring it is still important to assess the impact of development on the significance of the heritage assets in the round. The setting of these assets are an integral part of their appreciation in the agrarian landscape in which they sit. The pulling back of development away from Snitterton very substantially reduces the impacts from proximity. In addition the views from Snitterton Hall are only partial and will be ameliorated by the positioning proposed and additional planting. The views from the ancient monument and Grade II Manor House are similarly softened. The wider setting of the heritage assets is still engaged to some degree as the village is viewed from the south and west from higher ground and appreciated in its agrarian landscape. From these elevated locations there will be a degree of intervisibility. However, this would, it is considered, be a small impact on the appreciation of these assets viewed against the wider backdrop of the redevelopment of Cawdor Quarry and softened by additional planting. The impact on the heritage assets would be at most right at the bottom end of less than substantial harm. This should be weighed in the planning balance.

7.9. The Housing Mix and Design in Context

7.9.1. The provision of affordable housing has been explored earlier in this officer appraisal and needs to be weighed in the planning balance. In addition to this

requirement Policy HC11 of the Local Plan concerns the mix of housing units. The aim of policy is to align the developments coming forward with the needs identified as part of the underlying research that underpins the plan. The plan recognises that the final mix achieved on any site will be informed by the location, nature and size of the development site and character of the area. The overall aim is to achieve the following mix: -

1-bed dwellings	15%
2-bed dwellings	40%
3-bed dwellings	40%
4-bed dwellings	5%

The amended scheme is scheduled to deliver the following: -

9	1-bed unit	(2%)
217	2-bed units	(44.5%)
119	3-bed units	(24.5%)
142	4+-bed units	(29%)

- 7.9.2. The mix is obviously at variance with the stated aim of policy with the main departure being the percentage of larger dwellings. Whilst it is unfortunate that the provision does not more closely align with policy there are a number of factors to consider in mitigation. The site has a previous permission of a similar nature, the site is challenging to deliver in terms of viability and it lends itself to be broken down into sub areas of differing character to reflect the environment. When these factors are borne in mind the overall breakdown of unit sizes is considered acceptable within this challenging context.
- 7.9.3. The applicants have come up with a bold design concept to tackle this challenging site. This is considered the right way forward. The site is broken down into distinct character areas and the development maintains a green corridor down its southern edge utilising the SSSI and extending this green space along under the prominent southern rockface.
- 7.9.4. The character areas start with the Gateway at the eastern entrance. Four flat blocks are proposed as the entry point with three rising up parallel to the north of Matlock Spa Road and the other located opposite within the small former quarry to the south. They have bold contemporary architecture but utilise strong elements of natural stone to connect with Matlock's heritage. Set within their dramatic surroundings it is considered that they are an appropriate design approach.
- 7.9.5. Although the general philosophy to architecture here is acceptable from close examination of the precise location of the easternmost block it is apparent that significant underbuild / retaining of adjoining land is required. This when combined with its 5 storey nature when viewed across falling ground to the east will make it unduly prominent and conspicuous. It is considered that the positioning / height of this block, possibly in combination with the other 2 should be amended to overcome this concern.
- 7.9.6. To the west of this on the upper level will be the Crescent Spa. This will incorporate a mixture of terraces, semi-detached and detached dwellings linked with common contemporary architectural themes and with the use of natural stone and slate roof. Continuing to the west the development moves into a Woodland Spa. Within this, set within planting are more sparsely arranged dwellings. These will be faced in a dark brick with standing seam zinc roofs. They have contemporary detailing which is considered complimentary to the materials.

- 7.9.7. At the western end of the site you descend down to the village Spa. This comprises strong blocks of development built off the retained Permanite tower and at the western extremity beyond a village green loose built larger properties which seek to assimilate into the new landscaping at the western boundary. The block development utilises brick. The development at this point has been criticised for being too high and dominant and it also sits very close to the trees and footpath to the north.
- 7.9.8. The proximity to the heritage trail at this point is a concern. Buildings have been designed hard up against the footpath, partly under the canopy of adjoining trees. In order to establish a suitable relationship here it is considered that the buildings should be set in from this boundary which will both alleviate any future pressure on the trees, create a more suitable relationship with the trail and to some degree address the design concerns expressed by the National Park Authority.
- 7.9.9. The dwellings at the western extremity of the development have a loose knit format which should help soften the development in views from the west.
- 7.9.10 Just beyond the boundary at this point is a commercial building of single storey construction under a green roof. This sits alongside the trail and is intended to be a facility that would be used by the community and those utilising the trail. It sits beyond the settlement framework but is not considered a major incursion into the countryside in the context of the overall development.

The development on the lower level moving east is referred to as the Esplanade Spa. This is high density with bold terracing incorporating contemporary detailing and balconies which are designed to look out over the river environment.

At the eastern end this joins up with the lower section of the Crescent Spa architecture and at the far eastern extremity at the lower level are the contemporary industrial units.

The two levels of the site are linked across a landscaped embankment by steps and footpaths. Localised opportunities for play are complimented by the greenspace along the southern boundary, village green and esplanade greenspace.

- 7.9.11 The topography and orientation this site are challenging. The bold approach chosen if properly executed with hard and soft landscaping to match the vision and complimented with good quality facing materials will create an interesting place to live which is different too but can complement the town. The design and housing mix overall are considered to broadly comply with the aims of the local plan. However two specific areas requiring revisions to the design have been identified and without prejudice to the consideration of the wider merits these would need to be resolved to conclude that the design in its totality were acceptable.

7.10. Impact on Highway Network

- 7.10.1 Policies HC18, HC19, HC20 and HC21 are concerned directly with the impact of the development in relation to highways. The Local Highway Authority have carefully considered the impacts of this development having due regard to the earlier permissions granted and other planned developments in the Matlock area. Part of their assessment relates to securing measures to limit demands on the highway network through encouraging other modes of travel.

- 7.10.2 Although they recognise that increased demands will be made on the network they have concluded that these are not sufficient to reject the scheme. They have suggested a range of measures to help mitigate impact on the network through provision of bus funding, improvements to cycle / pedestrian links and travel planning. In terms of likely impacts on the network they also recognise the need to fund Crown Square improvements works or other network improvements to ease queuing in the centre of Matlock and in accordance with Policy DS9 seek funding to pay for measure to deter traffic diverting through Oker and Snitterton. All of these measures are consistent with the approach taken on previous approvals and will need to be secured through a Section 106 Agreement.
- 7.10.3 The applicants have included a figure in the indicative Section 106 costs for highway measures which exceeds the amounts described above which total £493,000. They have been asked to explain this discrepancy and have set out how a further £377,000 will be utilised to create higher quality treatments in and around the highway to justify this additional sum. At the time of writing the views of the Local Highway Authority had not been received in relation to this and they will be reported to Committee.
- 7.10.4 Although this matter still requires final resolution and the design of the road network will require further revision detailed in the conditions proposed, on balance in highway terms the scheme can be accommodated.

7.11. Impact upon Wildlife/Ecology

- 7.11.1. The application includes both a site of Special Scientific Interest and Local Wildlife Site. The former will be protected but the latter will experience very substantial change highlighted in the concerns expressed by Derbyshire Wildlife Trust. Whilst their concerns are discussed in more detail below it also has to be acknowledged at this point that permission was granted for the comprehensive redevelopment of the site in 2001 which included a very similar level of disruption to the areas covered by the Local Wildlife Site.
- 7.11.2. The key areas of concern identified are the loss of flower rich grassland in the open mosaic habitat and the loss of woodland, both of which are driven by the redevelopment of the main body of the quarry. Whilst the applicants have offered up some relocation and creation of flower rich grassland there will be a loss of 2 to 3 hectares. In relation to the woodland that will be cleared this amounts to 4.7 hectares.

Also of concern is the management of the buffer to the SSSI to its south east where an open area is proposed.

- 7.11.3. In their latest set of comments Derbyshire Wildlife Trust have acknowledged that compensation within the body of the site is not feasible. They have therefore fully considered the potential for the creation of compensatory wildlife habitat on other land controlled by the applicant to the west and north of the site. They have suggested that in addition to proposed planting to the west of the housing in Snitterton Fields further broad leave woodland is created alongside the south west corner of the SSSI. They suggest an enhancement of the broad leave woodland alongside the river and proposed a marsh with ponds is created in the centre of northern meadow on the site of the Oxbow lake whilst the grassland around this can be enhanced. In addition they suggest that the field to the west is the subject of grassland and hedgerow enhancement/management and the buffer in the SSSI is also subject of a management plan.

7.11.4. These proposals appear a sensible way forward. The land in question is to be retained by the applicants and the management and development of these areas can form part of the wider management of open areas across the site. Whilst compensation will not be like for like it is considered that a scenario of no net harm to overall biodiversity can be achieved.

7.11.5. The site is habitat for bats and badgers and whilst foraging areas will be lost for both and a licence will potentially be needed in relation badgers with the compensatory provision of habitat identified it should be possible to make this development neutral in terms of its impact on biodiversity which would represent a net gain in potential biodiversity over the extant permission. Conditions are proposed by Derbyshire Wildlife Trust and it is suggested that the management of the fields to the west and north be brought within a Section 106 Agreement. With this in place the development will accord with policies PD3 of the local plan.

7.12. Phasing of the Scheme and the delivery of employment provision

7.12.1. There is understandably public concern over how this challenging site will be delivered and the order in which different parts of the site come forward. Policy DS9 of the local plan requires the agreement of a phasing plan which serves the delivering of the employment provision and residential provision concurrently or to an agreed programme. Public concern essentially focuses on avoiding the developer cherry-picking the green field component of the scheme without first tackling the remediation of the quarry.

7.12.2. The logical route for the remediation of the quarry/carrying out development has been discussed with the developer and confirmed in writing. They intend to start with phase I (The Gateway), which is the subject of a separate full application, and proceed in a clockwise direction around the site. This will allow for construction vehicles and plant and machinery to utilise the lower route out of the quarry whilst dwellings are gradually occupied in an east to west direction before looping round at the western end of the development and moving back to the east.

There will obviously be areas of overlap between phases, particularly where substantial excavation or deposition of material is intended and consideration of the levels and embankment is required in the centre of the site. It also has to be recognised that it will be difficult to sell dwellings in any one phase without the next phase or phases alongside being taken to a point where noise, dust and disturbance can be reasonably controlled. Approaching the scheme in this way should ensure that there is no prospect of cherry-picking and the quarry is tackled in a comprehensive manner.

7.12.3 The employment provision can, it is considered, occur concurrently with the housing as it can be readily accessed from the construction route which formerly served Permanite without the remainder of the site infrastructure being in place. The applicants have suggested the provision of serviced employment provision no later than half way through the house building. This is considered to be acceptable and accords with the spirit of Policy DS9.

7.12.4. The applicants have promoted phase I as a separate full application. This will allow them to get on site before discharging each and every condition for the whole site. As this is a small component of the overall scheme and the early delivery of this project would be welcomed it is considered appropriate to only apply the section 106 payment to those phases beyond phase 1. This has been assumed in the independent assessment of site viability. Whilst details of phasing will need to be controlled as part of a legal agreement the suggested phasing of the application is considered acceptable and complies with plan policy.

7.13. Infrastructure Contributions / Section 106 Requirements

- 7.13.1. Quite apart from the requirements of policy on affordable housing Policies DS9 and HC15 also anticipate that development of this site will meet the cost of additional educational needs and other community infrastructure.
- 7.13.2. As already mentioned in this report in the section of viability the applicants included in their viability assessment a figure of £1.927 million to meet highway and educational contributions. As can be deduced from the comments of the Local Highway Authority they required clarification on exactly how the highway contribution was to be made up as the sum exceeded that identified to meet known off-site contributions. Their comments on the applicants further explanation are awaited.
- 7.13.3. The remaining £1.054 million was earmarked to pay for school infrastructure and accorded with earlier estimates made by the Local Education Authority. It is apparent, however, in accordance with identified practice where school capacity and anticipated pupil numbers are regularly updated, that the actual current contributions to meet educational needs have reduced. The need currently identified only relates to primary school children and equates to a payment of £672,541.59. This leaves headroom in the viability case put forward of £381,000.
- 7.13.4. The local CCG have requested a payment of £185,331 to meet the demands on local healthcare provision that will result. It was the applicants previous position that this could not be funded but based on the reduced expectations of the Local Education Authority it is now feasible to meet both requirements.
- 7.13.5. Without prejudice to the subsequent balancing exercise on the planning merits of this application, if the application were supported a range of issues would need to be tied down in a Section 106 Agreement.

These should it is considered include:-

1. Payments identified by highways.
2. Payment to support educational infrastructure.
3. Payment to pay for health care infrastructure.
4. Full details of the management regime covering the SSSI, open space within the development and biodiversity mitigation for the development on adjoining farmland.

Other matters including the phasing of the overall development and the delivery of employment units, the shop and restaurant / café can all reasonably be secured via condition.

8. OTHER MATTERS

- 8.1 The remediation of this site involves dealing with some on site contamination, substantial landscape reconsolidating and compaction and stabilising of rock faces as appropriate. Whilst these will need to be carefully handled to protect the water environment and safeguard existing and future residents the Environment Agency and Environmental Health based on the applicants detailed submissions are content that this can be controlled by conditions.
- 8.2 The drainage of this site dovetails with its wholesale remodelling. Whilst the comments of the County Council are noted in relation to promoting a Sustainable Urban Drainage Scheme the Environment Agency have previously agreed a drainage methodology for this site and are content that the Flood Risk Assessment identifies a way forward that can be controlled by conditions.

- 8.3 The public representation on this scheme includes a concern that the flats to the south of Matlock Spa in the Gateway phase will impact on the amenity of dwellings on Limestone Croft. Whilst this is a legitimate concern this area was always earmarked for development and the height and position of the building now proposed is not such that it will lead to any direct overlooking or overshadowing.
- 8.4 The provision of adequate open space is required by policy HC14 of the local plan. The proposed residential scheme will not be a typical housing estate. Residents will have access to open land the wider countryside and localised park provision. This will be secured through condition/reserved matters and its future management will now form a component of the legal agreement.

9. THE PLANNING BALANCE

- 9.1 The starting point for assessing any planning application is the development plan. Planning Law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The newly adopted Derbyshire Dales Local Plan (2017) accords with guidance in the NPPF and should consequently be given full weight in the assessment of this scheme. It is logical to first assess the compliance with or divergence from the Development Plan before moving on to consider other material consideration.
- 9.2 Policy DS9 of the Local Plan specifically focuses on land at Cawdor Quarry and sets out a number of criteria for development on this site. Whilst the submitted scheme addresses or is capable of addressing the bulk of these it does not make provision for the required proportion of affordable housing.
- 9.3 Policies EC2 concerning the provision of employment land and HC2 in relation to housing provision on Cawdor and Permanite are met.
- 9.4 Policies HC4 and HC11 concern the provision of affordable housing and the housing mix. No affordable housing is provided and the mix is steered to larger properties at variance with the latter Policy. Whilst these departures from policy need to be weighed in the balance Policy HC4 does recognise that appropriate regard should be given to the viability of a scheme.
- 9.5 Policy S4 deals with development in the countryside and PD5 concerns landscape character. The scheme as amended still projects into open countryside beyond the Quarry limits and settlement framework boundary. This is clearly contrary to Policy S4 and will cause harm to the current open character and appearance of the landscape.
- 9.6 Policy S1 seeks to conserve the setting of the National Park whilst Policy PD1 provides protection to heritage assets. These issues are closely related in this case as the nearest heritage assets are located at Snitterton in the National Park. Whilst the original scheme was clearly harmful to the setting of both, the revised scheme, limiting the incursion of dwellings into Snitterton Fields to 5.1/2 units and proposing comprehensive landscaping substantially reduces that harm. In the case of the heritage assets the harm is at the very bottom end of less than substantial harm to the significance of the assets and should be weighted accordingly. Views from a higher level in the Park will still be feasible but given the opportunity of landscaping and the backdrop of Permanite the harm to the setting of the National Park in the revised scheme is not considered to be of great planning weight.
- 9.7 The scheme conflicts with Policy PD3 of the plan as substantial components of the local wildlife site will be developed with consequent change to habitat which will impact on the species they support. Whilst this could be considered a negative consequence Derbyshire

Wildlife Trust are satisfied that compensatory provision of new habitat on other land controlled by the applicant can offset this biodiversity impact.

- 9.8 The impacts of the development on the highway network can be satisfied through condition or addressed through the legal agreement and the handling of the contamination and drainage are considered acceptable and do not conflict with plan policy in relation to these matters.
- 9.9 The scheme is considered to overall comply with Policies PD1 and S3 of the plan in terms of design as although it does not slavishly follow local vernacular it responds in a bold way to a challenging site which will be a major expansion the town of Matlock. Two areas of the layout have highlighted concern in relation to the prominence of the easternmost block and the relationship of development on Permanite to the heritage trail but these small areas of concern could be readily addressed with amendment.
- 9.10 There are clearly conflicts with the development plan that weigh against this scheme and could legitimately be used as a basis to reject it. However it is also necessary to consider the other material factors that come into play in reaching a balanced judgement.
- 9.11 The applicants have submitted a viability assessment which has been independently scrutinised for the Council by the District Valuer. Whilst this independent assessment did reveal an over optimistic estimation of land value and consequent ability to provide some affordable housing this only amounted to 7.1%. This means that the applicants vision of how the site should be developed could not be delivered in a policy compliant way. Following discussion, rather than providing limited affordable housing it was decided to reduce the incursion into the countryside to a minimum amount. At the time of writing some further headroom had been identified in the allocated infrastructure funding owing to a reduced school requirement. This may offer potential for some further minor reduction in impact.
- 9.12 The site has a long standing permission but has not been developed and this at least in part is because of its challenging brownfield nature. These previous permissions are a consideration insofar as they legitimised the removal of trees and habitat and if the quality of the scheme exceeds that previously granted it can be a positive to weigh in the balance. The applicants current scheme is considered, if executed as proposed, to be a superior scheme in responding to the site characteristics and constraints.
- 9.13 The scheme in the round has environmental benefits in terms of redeveloping an unsightly brownfield site and meeting the towns housing needs in a sustainable location. It also has a downside environmentally in including the development of land beyond the settlement boundary. In terms of its economic consequences these are considered beneficial. Both during construction and subsequently employment will be generated and demand created for existing businesses. Socially the scheme performs reasonably well for potential cohesion and accessibility but it does not meet policy on affordable housing. The provision of a shop and restaurant / café also contribute to the social sustainability of the scheme.
- 9.14 This is a finely balanced judgement. A different scheme could deliver development within the settlement framework and may offer more affordable housing. It would also be legitimate to consider the items covered by the section 106 and decide if these are a priority or the monies tied up in them could be better utilised to reduce the development footprint or provide more affordable housing.
- 9.15 The applicants present a vision which they consider necessary to deliver the development of this challenging brownfield site. Whilst it does not fully comply with development plan policy it is considered to be broadly sustainable development which will redevelop this

longstanding eyesore on the edge of the town and contribute significantly to meeting the housing needs of the town.

9.16 The very clear benefits to Matlock of this site being developed economically, socially and environmentally carry substantial weight in the final assessment of this scheme. The failure to provide affordable housing and incursion into the countryside weigh against the scheme whilst the impacts on the setting of the National Park and heritage assets has been reduced and can be reduced further through maturing landscaping so as to not weigh significantly against the development.

9.17 Whilst further revisions are required to address two elements of the design and officers will continue to negotiate improvements, in the final analysis it is considered that in its modified form the areas of conflict with the Development Plan in terms of the housing mix, limited harm to the character and appearance of the countryside and minimal harm to the wider setting of the National Park and heritage assets are outweighed by the benefits of the scheme and planning permission should be granted subject to the completion of a legal agreement and conditions covering the matters listed below.

10. RECOMMENDATION

10.1. Subject to the completion of successful negotiations to resolve the design concerns identified in the report, and on completion of a legal agreement securing the highway contributions listed, the education contribution, the healthcare contribution and a comprehensive Management Plan for the SSSI, open space and adjoining land to mitigate biodiversity impacts, planning permission be granted subject to conditions covering the following matters:-

1. Time Limit on outline permission
2. Submission of reserved matters
3. Amended Plans
4. Details of phasing of housing to be submitted and agreed with. Each phase of housing development incorporating details of the remediation / remodelling and drainage of adjoining land
5. Employment land phasing to be agreed but to be delivered no later than occupation of 50% of housing
6. Full details of external materials to be agreed
7. Architectural details to be agreed including window reveals, canopy structure, balcony railings, glazing panels, louvres, vents, heads, cills and jambs
8. Permitted Development Rights removed for certain plots.
9. Within submission of landscaping scheme phasing of planting to western end of site in first planting season following commencement to be agreed.
10. Details of the phased implementation of measures to ensure stability and safety of rock faces.
11. Details of noise mitigation in relation to properties near to railway line.
12. Details of measures to minimise the spread of air borne dust to be agreed
13. Details of childrens play areas, play equipment and the laying out of open spaces to be agreed for each phase prior to implementation
14. No hardsurfacing other than identified in approved landscaping to be created for vehicle parking or removal of boundary walls
15. Full details of all retaining structures to be submitted and agreed prior to the commencement of the phase they relate to
16. Details of fencing and netting of rock faces to be submitted and agreed
17. Measures to reduce the risk of crime to be submitted prior to the commencement of each phase
18. Landscaping of site entrance to be agreed and implemented in first phase
19. Development to be carried out in accordance with approved Flood Risk Assessment

20. Prior to each phase of development remediation strategy for that phase to be submitted and agreed
21. Prior to occupation of each phase a verification report to be submitted and agreed
22. If unexpected contaminants found no further development to occur until remediation strategy agreed
23. Piling or other penetrative foundation design only to be permitted with express written consent
24. Construction Environmental Management Plan to be submitted and agreed
25. Badger Mitigation Plan to be submitted and agreed
26. Ecological Mitigation and Enhancement Plan to be submitted and agreed
27. Landscape and Ecological Management Plan to be submitted and agreed
28. No vegetation removal during bird breeding season
29. Bat mitigation plan to be submitted and agreed
30. Reptile mitigation plan to be submitted and agreed
31. Archaeological survey of former quarry, desk top and walkover to be carried out
32. Highways conditions listed in consultation response (x24)

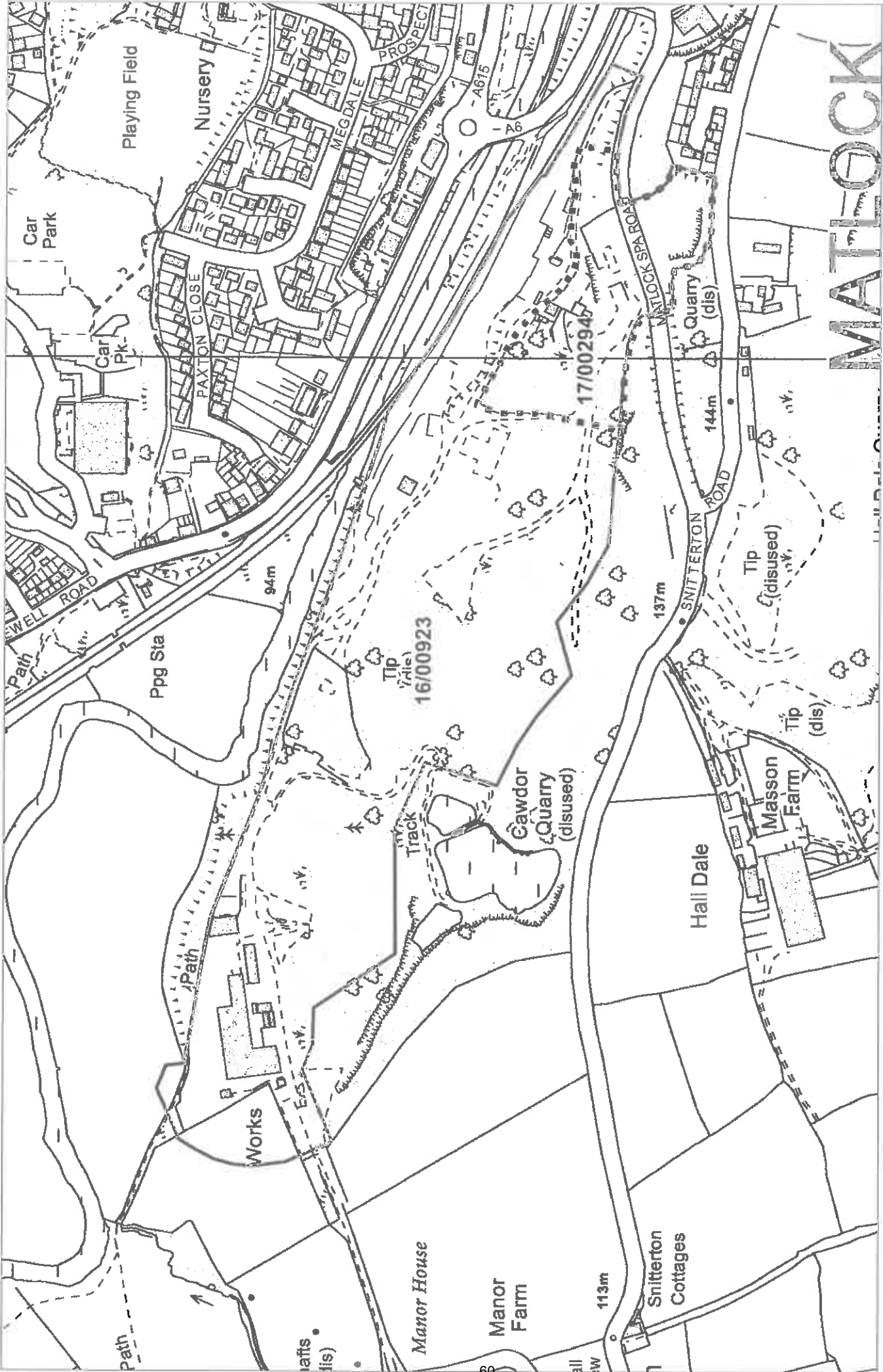
APPLICATION NUMBER		17/00294/FUL	
SITE ADDRESS:		Former Cawdor Quarry Site Snitterton Road, Snitterton Matlock	
DESCRIPTION OF DEVELOPMENT		Erection of 79 dwellings and 235 sq m retail (Class A1) unit with associated vehicle, cycle and pedestrian infrastructure	
CASE OFFICER	J Bradbury	APPLICANT	Groveholt Ltd
PARISH/TOWN	Matlock	AGENT	Savills
WARD MEMBER(S)	Cllr S Burfoot, Cllr M Burfoot and Cllr A Elliott	DETERMINATION TARGET	04.07.2017
REASON FOR DETERMINATION BY COMMITTEE	Major Application	REASON FOR SITE VISIT (IF APPLICABLE)	For Members to appreciate the context of Phase 1 and how it fits in with the wider project.

MATERIAL PLANNING ISSUES

- Site history
- Policy context
- Relationship of development to wider scheme, phasing and Section 106 requirements
- Design in context and housing mix
- Amenity of future and existing residential occupiers

RECOMMENDATION

Approval with conditions



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 Derbyshire Dales District Council, Town Hall, Bank Road,
 Matlock, Derbyshire, S25 2NR.
 Telephone: (01629) 797100.

1.0 THE SITE AND SURROUNDINGS

- 1.1 The application site is a 0.8 hectare parcel of land which sits either side of Matlock Spa Road at the entrance to Cawdor Quarry. The site commences approximately 60m to the west of the Permanite access. It encompasses land between this access route and Matlock Spa Road and extends approximately 250m from east to west. An existing rock outcrop is retained in the centre of the site.

The southwest corner of the site sits to the north of the Spa Road at the base of a rock face. The site then sweeps round to meet the Spa Road opposite the small quarry to the south of the road. The small quarry is included and the site stretches back to the rock face which bounds Snitterton Road and to the back of properties at Limestone Croft to the southeast. The north-east corner of the site has some self-set woodland.

Woodland adjoins the site to the southwest and southeast on steeply sloping ground. To the west and north is Cawdor Quarry. The topography in the area generally slopes down from north to south and immediately to the east of the site the triangle of land to the west of the construction access is a steep embankment with exposed rock.

2.0 DETAILS OF THE APPLICATION

- 2.1 Full planning permission is sought for the erection of 79 dwellings and 235m² retail (Class A1) with associated vehicle, cycle and pedestrian infrastructure.
- 2.2 The development is described as Matlock Spa Gateway and is intended to be the first phase of the wider development of Cawdor Quarry.
- 2.3 The housing comprises of the following mix: -

One-bed apartment	8
Two-bed apartment	55
Three-bed apartment	1
Three-bed houses	8
Four+ bed houses	7

- 2.4 The flats are accommodated in four flat blocks. Three of these will run in a line parallel with Matlock Spa Road going up the hill from east to west. These blocks are square in format. The easternmost block is set at a level 2m below the other two and is five storeys in height. Four storeys are on the same plane with the upper storey set in and incorporated into the roof structure. This block incorporates 18 two-bed flats. The land on which this block and its surrounding platform are located falls away to the north-east. Its construction, therefore, requires under build to the north and east and the retaining of land which will give the appearance of the block sitting on a raised platform.
- 2.5 The middle flat block is four storeys with the top storey incorporated into the roof structure. This block has four two-bedroom flats on the first three floors with two on the top floor.
- 2.6 The western most flat block is also four storeys with the top floor incorporated into the roof structure. This block has a retail unit on the ground floor with a floor space of 235m². Above this on the middle two floors, four two-bed flats are accommodated with a further two flats in the top floor making ten in total.
- 2.7 The flat blocks are set close up to the Matlock Spa Road and follow its alignment which means they are set at slight angles to one another. The minimum separation between this easternmost and central block is 15m.

2.8 The blocks are to be predominantly faced in sandstone walling. The windows have strong vertical alignment being presented as contained panels with louvres to the side set within sandstone framing. The windows will have a dark bronze finish framing which will match with the finish of balconies which will be recessed in all of the corners of the building. The upper floor will be clad in standing seam zinc set under a shallow pyramidal roof.

Each of the blocks will have a larger glazed panel which incorporates the residential entrance and lights the circulation space behind. The block that incorporates a retail unit has a shop front with canopy and two delivery doors at ground floor.

2.9 The blocks have parking between and to the north and a larger parking area sits in front of the rock outcrop to the west which will serve the retail unit.

2.10 On the opposite side of the Spa Road a rectangular four storey block is proposed. This will sit directly opposite the two western most flat blocks to the north at a separation of 18m and at a ground level 0.6m higher. This block will incorporate a total of 22 flats. On the ground floor are two one-bed flats, a two-bed and a three-bed flat. On the first floor are two one-bed flats and four two-bed flats. This pattern is repeated on the second and upper floors.

2.11 The building incorporates entrance doors to both the north and south. The main foyer entrance is taken for residents from the car park to the north, whilst a canopied door faces Matlock Spa Road in the centre of the building. The north facing elevation has a regular pattern of windows either side of a wider central panel of windows. The windows are set with a sandstone frame and are connected over the four floors. To the side elevations are projecting central balcony structures, whilst to the rear at regular spacing's are partially concealed balconies. The window pattern to these elevations are at variance to the south elevation but maintain a vertical proportion and symmetry.

2.12 The block will be faced predominantly in sandstone with sandstone detailing around window panelling and stone capping to the roof verges and on a slight central projection to the front elevation. Stone vent structures are included at either end of the pitched roof which is to be finished in standing seam zinc. The window and door frames and balcony structures are all to be finished in a dark bronze, the gaps between the windows will be finished in a dark brick. The north facing element of the building incorporates a flat roof which is integrated into the design.

2.13 This flat block will be 15.6m high and sits more than 40m from the gardens of Limestone Croft at its closest point with a steep embankment in-between. A section submitted with the application indicates that the eaves of the new building is at roughly the same level as the floor plate of the dwelling on Limestone Croft that abuts Snitterton Road. Given the sloping nature of that site it means that the floor plate of the nearest dwelling will be roughly in line with the floor levels of the top floor.

2.14 To the west of the retained rock outcrop the upper road of the development descends down east to west just to the north of the quarry embankment/rock face.

2.15 To the north of this and west of the retained outcrop is a block of more traditional housing. This will comprise of two detached three storey dwellings fronting onto the new arterial route with parking to the rear shared with two terraces of four 2-storey dwellings which face north. To the west of this dropping down with the contours is a terrace of five 3-storey dwellings with integral garaging.

These dwellings are serviced by a wide access running north/south with central visitor/parking at the western end which then links to footpaths to the north and east of this

block of housing that connect to steps down to the future development at a lower level to the north.

2.16 This section of the housing it to be constructed in sandstone with a natural slate roof and stone window surrounds. Chimneys are included in dark brick with dark brick insert panels in vertical window slots and the windows and doors will be finished in French grey. The window patterns are contemporary and in the three storey terrace a wide opening with balcony railing is formed above the garage openings.

2.17 With the exception of the area to the south of Matlock Spa Road and an area to the north of the outcrop which marks a dramatic change in levels with a rock face, the remainder of the first phase will require remediation. The embankment to the north of the houses will be regraded with a change in levels of approximately 10m. To the east of the flat blocks where the land bounds the construction access some retaining structures and some underbuild will be included.

2.18 The application is accompanied by the following reports: -

- Planning Statement
- Design and Access Statement
- Transport Assessment
- Ecology Report – part of overall scheme
- Arboricultural Study
- Geological Assessment
- Flood Risk Assessment – part of overall scheme

These reports have been made available on the public file and circulated to consultees for their consideration as appropriate. They will be referred to as appropriate in the assessment of the scheme but their content are not needlessly set out in this section of the report.

2.19 The Planning Statement submitted by the applicant makes the following key points: -

- i. The purpose of this separate full application is to make an early start on phase one at the eastern end of the quarry. It is not a replacement for the current comprehensive scheme for the whole quarry, the former Permanite works and part of Snitterton Fields. The scheme is entirely consistent with and complimentary to the outline application.
- ii. As is generally known Groveholt purchased the quarry in 2002 but development has been hampered by a legal dispute, uncertainties over reclamation and infrastructure costs and uncertainty over the housing market.
- iii. The Spa concept is far removed from a conventional housing estate. The aim is to create something special with distinctive spa village within a country parks setting and the dramatic quarry scenery.
- iv. The gateway has a more urban scale. The flat buildings will step up the slope and the four storey blocks opposite and the retained rock outcrop help frame this space. The Gateway building includes a ground floor local shop.

3.0 PLANNING POLICY AND LEGISLATIVE FRAMEWORK

3.1 Adopted Derbyshire Dales Local Plan (2017)

- Policy S1 : Sustainable Development Principles
Policy S2 : Settlement Hierachy
Policy S3 : Development Within Defined Settlement Boundaries
Policy S4 : Development in the Countryside
Policy S5 : Strategic Housing Redevelopment

Policy S6 : Strategic Employment Development
 Policy S7 : Matlock / Wirksworth / Darley Dale Development Strategy
 Policy S10 : Local Infrastructure Provision and Developer Contributions
 Policy PD1 : Design and Place Making
 Policy PD2 : Protecting the Historic Environment
 Policy PD3 : Biodiversity and the Natural Environment
 Policy PD4 : Green Infrastructure
 Policy PD5 : Landscape Character
 Policy PD6 : Trees, Hedgerows and Woodlands
 Policy PD7 : Climate Change
 Policy PD8 : Flood Risk Management and Water Quality
 Policy PD9 : Pollution Control and Unstable Land
 Policy HC1 : Location of Housing Development
 Policy HC2 : Housing Land Allocation
 Policy HC3 : Self Build Housing Provision
 Policy HC4 : Affordable Housing
 Policy HC11 : Housing Mix and Type
 Policy HC14 : Open Space and Outdoor Recreation Facilities
 Policy HC15 : Community Facilities and Services
 Policy HC18 : Provision of Public Transport Facilities
 Policy HC19 : Accessibility and Transport
 Policy HC20 : Managing Travel Demand
 Policy HC21 : Car Parking Standards
 Policy EC2 : Employment Land Allocation
 Policy EC5 : Regenerating and Industrial Legacy
 Policy D59 : Land at Cawdor Quarry Matlock

3.2. Other:

National Planning Policy Framework
 National Planning Policy Guidance
 Derbyshire Dales Local Plan (2005)

4.0 RELEVANT PLANNING HISTORY

16/00923/OUT	Development of 487 dwellings, 2800m ² commercial floorspace (Class B1), shop and café, with associated vehicle, cycle and pedestrian infrastructure – Pending consideration
13/00157/EXF	Extension of Time Limit for Implementation – Revision to approved masterplan layout to facilitate the rearrangement of the layout of 269 houses (no change in the approved residential units at 432), reconfiguration of the B1 employment floorspace and associated works – Granted
11/00261/FUL	Construction of 12 No. houses with garages, associated works and infrastructure including engineering works to part fill adjacent quarry to provide property gardens – Granted
08/00705/FUL	Revision to approved masterplan layout to facilitate the rearrangement of the layout of 269 houses (no change in the approved residential units at 432), reconfiguration of the B1 employment floorspace and associated works – Granted
07/00973/FUL	Revision to the approved masterplan layout granted 18 th December 2001 for the redevelopment of Cawdor Quarry viz, re-arrangement of layout of 123 houses adjacent to railway line and in the Eastern

	Hamlet (no change in the approved number of residential units at 432) and reconfiguration of the B1 employment floorspace – Withdrawn
07/00972/FUL	Revisions to the Approved Masterplan layout granted 18 th December 2001 for the Redevelopment of Cawdor Quarry viz, rearrangement of layout of 29 houses in the Western Hamlet and Upper Hamlet Adjacent to Snitterton Road (no change in the approved numbers of residential units at 432) – Withdrawn
02/04/0306	Enabling works to include regrading of site levels to facilitate redevelopment – Granted.
01/08/0554	Redevelopment of Cawdor Quarry for Residential Accommodation, Employment Development (Use Class B1) Building for Community Use, with Associated Landscaping, Open Space, Roads, Car Parking and Other Infrastructure – Granted.

5.0 CONSULTATION RESPONSES

5.1 Matlock Town Council

Agrees with the total development of this prominent brownfield site within the town, but with regard to this application wish to express their concerns regarding: -

1. The four large four storey blocks, ‘Spa Villas’ and ‘Spa Lofts’, which form the Gateway Zone of the development which are too prominent and very close to the road and are out of keeping with the proposed ‘Village Development’. They would be better positioned further from the road.
2. The car parking which will be full view and should be screened by landscaping.
3. The traffic impact of the site on the current road system which appears not to have been addressed.
4. The provision of affordable housing, of which there appears to be none.

The Council also feels it important that adequate landscaping is provided throughout the whole scheme.

5.2 Local Highway Authority

The principle of development is acceptable in highway terms, however there are a number of detailed design issues that need to be addressed. Purely from a highway safety perspective the Highway Authority would not be in a position to raise a sustainable objection to the proposals, however it will be necessary to include a number of additional conditions requiring further detailed designs to be submitted for elements of the scheme.

As the highway impacts of this stand-alone full application are not significant in transportation terms it has been suggested that section 106 obligations for financial contributions for highway infrastructure and sustainable travel interventions should be secured with the overall Cawdor Quarry development. Recommend conditions covering the following issues: -

1. Construction management
2. Site storage and compound
3. Detailed designs for the permanent access to Matlock Spa Road to be submitted and agreed which includes measures to support pedestrian crossing, suppress vehicle speeds and deter traffic movements through Oker and Snitterton.

4. No development to take place until layout and construction details of residential estate road and footways have been agreed.
5. Carriageways of estate roads constructed to road base level prior to the erection of any dwelling on the section of road.
6. Internal estate street junctions to have 2.4m x 25m visibility splays.
7. Premises not occupied until estate street provided with suitable turning arrangements for service and delivery vehicles.
8. Individual drives to have 2.4m x 25m visibility splays.
9. Estate street layout to provide 25m forward visibility sightlines around inside of bends.
10. No dwelling occupied until parking provided for that dwelling.
11. Garages and parking spaces provided to be retained for parking at all times.
12. Development not commenced until secure cycle parking facilities for occupants and visitors provided.
13. No gates or barriers to open out over public highway
14. Property access drives to be no steeper than 1 in 10 for first 5m.
15. No part of development occupied until bin storage and collection arrangements agreed.
16. Prior to commencement details of measures to prevent water discharge over highway to be agreed.
17. Prior to commencement scheme for disposal of highway surface water to be agreed.
18. A revised travel plan to be agreed.
19. No development to be commenced until details of future management and maintenance of the streets has been agreed.

5.3 Derbyshire Wildlife Trust

There will be a loss of a small area of open mosaic habitat on previously developed land which is a UK BAP priority habitat, together with a loss of scrub, trees and a small area of rush-pasture/rough grassland.

It does not appear feasible to mitigate for this loss within the footprint of the development. The measures of mitigation are identified in the ecology report: -

1. The removal of scrub/tree cover from areas of wet grassland and mine spoil. The location and extent of these needs to be clarified for the current application. These management measures could be acceptable and could result in habitat restoration.
2. The use of open mosaic habitat on previously developed land soils to create other open mosaic habitats elsewhere within the site.

Translocation is a feasible option but no areas for the receipt of this translocated material are identified therefore there can be little confidence that any of the impacts on this open mosaic habitat can be addressed.

Protected Species

The proposal could impact on breeding birds, reptiles and badgers. Mitigation measures will be needed as identified in the ecology report.

Conclusions and Recommendations

Not clear from the submission how the applicant intends to address the loss of habitat. Measures specific to this proposal need to be in place to ensure that the matter is fully addressed. The application currently would result in a net loss of biodiversity. It would be better if biodiversity was tackled across the whole site rather than being done in a piecemeal manner.

Notwithstanding this if Council minded to grant permission recommend conditions to secure: -

1. Walkover survey of site prior to commencement of development to check for any signs of protected species in particular badger with the results submitted to the Local Planning Authority.
2. Ecological Mitigation Plan to be submitted and approved.
3. No removal of hedgerows, trees, shrubs or brambles to occur during bird breeding season.

Natural England – No objection as based on the plans submitted the proposed development will not have significant adverse impact on designated site such as the SSSI

Environment Agency – No objection in principle suggest conditions in relation to: -

1. The submission of a remediation strategy
2. No occupation of the development until a verification report submitted.
3. No further development to occur if previously unidentified contaminants are discovered.
4. Piling or other penetrative foundation designs shall not be permitted without express written consent which may be given where it has been demonstrated that there is no resultant unacceptable risk to groundwater.

Derbyshire County Council (Strategic Infrastructure)

No Education Section 106 contribution will be required at this time.

A footnote is requested to advise of the need for access to highspeed broadband for future residents.

Derbyshire County Council – Flood Risk

Refer to comments provided in relation to outline application. These comments ask the developer to consider a Sustainable Urban Drainage System.

Development Control Archaeologist

The application does not do an assessment of the surviving evidence of historic stone quarries. The site specialised in asphalt macadam and mastic asphalt and hosted one of the first drum mixers for coated macadam in the country during the 1920's. Mapping suggests quarry building and infrastructure may survive.

An appraisal of this historic quarry site should be provided including desk top and walk over survey.

North Derbyshire CCG

Local GP Practices will require additional capacity to meet increased patients demand. Based on standard costing for providing this a financial contribution of £30,128 is requested.

The Ramblers – No objection

6. REPRESENTATIONS

- 6.1 A total of five individual representations along with a representation from Matlock Civic Association.

The five objections raise the following points:-

1. Full consultation with the public has not taken place. Residents above the development should have been notified.

2. Apartment blocks of up to five storey are totally inappropriate for an historic town such as Matlock where other development compliments traditional historic architecture.
3. The tourist appeal of the town will be jeopardised.
4. The apartment blocks are too close to the road.
5. There is a lack of screening of the cars parked between the blocks.
6. The Quarry should be considered as an entity and not in a piecemeal fashion.
7. The potential impact on rare orchids should be considered.
8. Parking needs to be properly considered as lack of parking given the narrow roads will be detrimental to the safe and free flow of traffic.
9. Proper consideration should be given to bike storage. Bikes often fill up garages leading to ad-hoc parking and the shelters can be ugly and vulnerable to theft.
10. Double yellow lines are needed at the bottom of Matlock Spa Road to alleviate existing parking hampering vehicle flows.
11. Shared use walking/cycling route should be provided. Where this exists at the moment it is only on one side and ends at the site entrance.
12. The Hall Dale Quarry permission requires a footway/cycleway for the full length of Matlock Spa Road. This should be applied to this development.
13. The provision of four storey apartment blocks is out of keeping with Matlock Spa Road in close proximity to the National Park.
14. The bulk of the building should be reduced by scaling back height and footprint.
15. The development refers to access out at the western end for cyclists. This is believed to be prohibited by the Local Plan.
16. The 470 bus only runs during term times and not twice a day.
17. The proximity of the flat blocks to the road will create the wrong impression.
18. The original design was far less obtrusive.
19. The old Snitterton Road should be reopened to serve Hall Dale and Matlock Spa Road should just be for Matlock Spa.
20. The application lacks detail.
21. A shop is totally unnecessary as the flats would be served by both the supermarket and PFS shop.
22. The presence of the shop will encourage dangerous vehicles manoeuvre at the gateway entrance.
23. The blocks should be set further from the road and their entrance should be repositioned.
24. The application fails to properly show the relationship of block 1A and 1B to the cliff face to the north. The treatment of the slope and retaining structures should be shown.
25. The sections and floor level information for the flats are inconsistent.
26. The scale of development proposed locally will have further detrimental impact on traffic levels on Snitterton Road traffic increased by 25% between 2006 and 2009 and the road is narrow with blind bends.
27. Snitterton Road is a popular through route and as traffic increases further on the A6 will become more popular.
28. Mitigation of traffic impact on Snitterton Road should be explored by road narrowing's on straighter sections.
29. The merits of one application should not influence the outcome for the other application.

Matlock Civic Association

1. The detailed application cannot be determined independently of the outline application. The outline application should be determined first and its requirements reflected in any subsequent decisions.
2. Express concern over the design and detail of the application, particularly the oppressive effect likely to be created on Matlock Spa Road.
3. The development should be phased starting at the eastern end of the site.

4. The design of the road for this phase does not look adequate to serve the rest of the development in terms of width and footways.
5. The development should show the walking and cycling links to the rest of the town. This should incorporate links to locations such as ARC and local schools. Funds should be sought as part of a legal agreement to fund the provision of a new footbridge which could be promoted by the County Council.
6. The parking around the flat blocks will be prominent and austere. More planting and quality hard landscaping should be introduced to break it up.
7. The use of alternative road surfacing and tree planting is welcomed. However the Local Highway Authority will be reluctant to adopt this and clarification on delivery and maintenance is sought.
8. The management company will be taking on some challenging areas such as cliff faces and retaining walls. The composition of this company will require careful scrutiny.
9. The provision of four large blocks close to the road could create a tunnel like impression. Setting the buildings back further and lowering their height would reduce this effect.
10. Bin and cycle sheds should be located closer to the buildings. The Council currently collect four bins and this should be reflected in the storage facilities.
11. Whilst larger buildings can be located nearer to the town centre these are too oppressive.
12. It is felt that phase 1 should include affordable housing as this is the best location for those on limited incomes to access town facilities. The lack of affordable housing is a disappointment but should be secured on later phases.
13. Welcome materials and this should be reflected in landscaping treatments.
14. The proximity of schools means children will be driven there. The community building could be used by the elderly and for nursery age children and its provision should secure this as soon as feasible.
15. Materials should be subject to detailed conditional
 - i. Major boundaries should be local dry limestone
 - ii. Welcome limestone in buildings but laying needs to be traditional.
 - iii. No landscape scheme. This should be conditioned and appropriate scale of native tree should be chosen for locality.

7.0 OFFICER APPRAISAL

7.1. Introduction

This application relates to the first phase of development of the wider site considered under application 16/00923/OUT. It has an involved history but the main material planning issues that come into play in assessing the merits of this full application are as follows:-

- The Site History
- The Current Policy Context
- The Relationship of Development to the Wider Scheme, Phasing and Section 106 Requirements
- Design in Context and Housing Mix
- Amenity of Future and Existing Residential Occupiers

7.2. The Site History

7.2.1. The report on application 16/00923/OUT sets out the broader site history. The original 2001 permission in relation to this part of the overall site incorporated housing to the north side of Matlock Spa Road, employment provision with flats above in the southern quarry and a community building and housing as you move west into the quarry. The revised scheme in 2008 reconfigured the access arrangement with a road running north requiring very substantial level changes from Matlock Spa Road and traversing the eastern end of the rock face with

consequently only four properties in this section. Employment / housing remained in the southern quarry with a community building and housing as you move west into the quarry.

7.2.2. Although the current scheme differs from both of these former layouts and does not include employment provision, provided a new layout for the development of the whole quarry delivers the objectives of the Local Plan, there is no problem in principle with either a differing format for the architecture of this part of the site, or this first phase being predominantly residential in its character. The site remains a sustainably located brownfield opportunity and the potential for earlier delivery of housing on the site will help to contribute to meeting the district's demanding housing land supply targets.

7.3. The Current Policy Context

7.3.1. The submission of the current application has straddled the later stages of the preparation of the newly adopted Derbyshire Dales Local Plan. This new Plan is in full accordance with the National Planning Policy Framework and is the starting point for the consideration of any application. Development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise.

7.3.2. The site itself is covered by a number of plan policies and a range of other policies in the Plan are directly applicable to the consideration of its merits.

7.3.3. Policy DS9 is the site specific policy for the whole of the land at Cawdor Quarry. The policy covers the 28.44 hectares of land at the quarry which incorporates the former Permanite site as well. It allocates the site for mixed use development of 470 dwellings and 1 hectare of employment land and incorporates the Permanite site. The policy requires:-

- A comprehensive layout and masterplan
- A detailed phasing programme covering the whole site. This requires the employment and residential development to happen concurrently or as otherwise agreed
- A transport assessment and travel plan including full details of highway design, consideration of public transport, improvements to pedestrian and cycle links, implementation of measures to deter traffic diverting through Oker and Snitterton and exclusion of any vehicular access from the west.
- 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 open space and green infrastructure on site with links to the wider countryside.
- Desk and field based archaeological assessment.
- The submission of an Historic Environment Assessment to consider the impact on the setting of Snitterton Hall and other heritage assets.
- Preparation of a scheme to address the impact on visual amenity including light pollution.
- A site specific Flood Risk Assessment.
- Developer contributions towards the provision of infrastructure, educational services and other community services, greenspace and biodiversity.
- Ecological Assessment
- Contamination and ground condition survey and any mitigation that arise from this.

7.3.4. Policy HC2 deals with housing land allocations and allocates land at Cawdor Quarry for 432 dwellings under allocation HC2(t) .

- 7.3.5. Policy EC2 deals with Employment Land Allocations and allocates land at Cawdor Quarry under allocation EC2(d) for 1 hectare of B1a, B1b, B1c or B2 provision.
- 7.3.6. The site is also referred to in Policy S7 of the Plan which sets out the Matlock / Wirksworth / Darley Dale Development Strategy and recognises the importance of Cawdor in delivering sustainable growth in terms of both its residential and employment potential.
- 7.3.7. Policies S2 and S3 of the Local Plan set out the settlement hierarchy and explain the Council's approach to development within the Settlement Boundaries. The site lies within the Settlement Framework Boundary for Matlock.
- 7.3.8. Beyond these spatial policies or policies with a spatial component the full range of topic area policies referred to in the policy section apply. These are discussed in more detail in the sections of this appraisal dealing directly with those topic areas.
- 7.3.9. The newly adopted Local Plan in simple terms supports the provision of a predominantly residential redevelopment of Cawdor Quarry and Permanite along with the provision of 1 hectare of employment land.
- 7.4. Relationship of Development to Wider Scheme, Phasing and Section 106 Requirements
- 7.4.1. The proposal represents the first phase of the development of the wider site. The applicant in their supporting statement advise that this will allow them to make an early start on the development. As they correctly point out the scheme for Phase 1 is consistent with the remainder of the development. It is important, however, to consider if allowing this phase to benefit from a separate planning permission and proceed in advance of the remainder of the quarry will undermine the purpose of plan policy or jeopardise the delivery of any of the stated aims of Policy DS9.
- 7.4.2. One of the key aims of Policy DS9 is to secure the appropriate phasing of the development. This is to ensure that remediation and remodelling of the quarry is dealt with in a systematic and logical manner which also ensures that elements such as the employment provision and contributions to highway works are delivered at an appropriate stage in the development process. Starting at the eastern end of the development is considered to be the logical starting point. The developer will then be committed to remediation and remodelling of the quarry at the outset. They have indicated an intention to then proceed in a clockwise direction going to the western end of the quarry before returning on the lower level back to the east. It will, of course, in adopting this approach be necessary to ensure that remediation, remodelling and drainage on adjoining land is also undertaken ahead of the phase under construction being substantially occupied to maintain appropriate drainage and avoid any risk of harm to amenity.
- 7.4.3. Phase 1 incorporates housing only. It has no direct interlinkage with the provision of the employment floorspace. The delivery of the housing at this stage will not undermine this wider objective of the site policy.
- 7.4.4. The consideration of biodiversity and mitigation is considered best dealt with across the whole site. It is not practical to compensate biodiversity within this limited site but the wider site and applicants land ownership do offer opportunities to translocate habitats and create new habitats.
- 7.4.5. The implementation of the scale of overall housing proposed will in due course require mitigation on the highway network and the promotion of a bus service.

However, on balance, the Local Highway Authority are content that 79 dwellings can be constructed without the need to implement these measures.

7.4.6. Plan policies also seek to deliver an appropriate housing mix and affordable housing. It will be apparent from considering the outline application that the revised overall scheme does not incorporate affordable housing due to financial constraints. In terms of housing mix, whilst the overall scheme departs from the objectives of Policy HC11, this first phase is substantially geared up for smaller households and accords with the aims of policy.

7.4.7. This application is being considered concurrently with an outline application for the whole site, and it does not cause any significant conflict with plan policy over and above the comprehensive scheme. Therefore given that it will allow the developer to progress more quickly in bringing this site to fruition to deliver the housing needs of the district, there is no overriding reason not to determine this separate full application on its own merits.

7.5. Design in Context and Housing Mix

7.5.1. The housing proposed will be a bold introduction to the wider housing layout at Cawdor Quarry. The blocks at the entrance have a height and modern design concept which is not prevalent in the town. However, there is considered to be a good case for adopting such an approach in this challenging but potentially quite striking environment for a residential layout. Buildings will be seen against the backdrop of rock faces and across dramatic changes in levels on a steep slope facing the town. Buildings of four storeys will not be unduly dominant in such an environment and the building within the southern quarry will sit comfortably in its setting. Whilst physical proximity to the two blocks opposite will create quite strong enclosure at this point these two blocks do have a reasonable spacing and sit where the land levels out. The easternmost block is more of a concern. To bring the land it sits on up to a reasonable consistent level will require some under build and land retaining. It is five storeys in height and it will be viewed across land which slopes away in front of it. As the first building you see it will appear unduly prominent. Whilst it may be feasible to address this concern through consideration of repositioning the blocks or reducing the height of the easternmost this element at the moment is not considered acceptable. The materials and design detailing of the blocks will, it is considered, create a high quality of architecture to the entrance to the development.

7.5.2. The two and three storey dwellings which occupy the land to the west of Phase 1 blend natural materials with contemporary detail and will create a good quality of residential development.

7.5.3. The application has been criticised for lacking detail. This is unfortunate given its full nature and the applicants vision of high quality hard and soft landscaping. It will clearly be necessary to work up this detail to ensure their vision is delivered but this can reasonably be done though the imposition of conditions. Subject to appropriate revision to the detail of the entrance flatblock and its immediate environment the development is considered to comply with Policies DS9, S3 and PD1 of the Plan.

7.5.4. The density and mix of housing units need to have regard to Policy PD1 but also Policy HC11 of the Plan. In this regard this entrance point to the site is considered a good and accessible location for couples and single people well suited to living in flats. The housing mix and density for this entrance point to the development accords with plan policy.

7.6. Amenity of Existing and Future Residential Occupants

- 7.6.1. It is important to consider both the impact of the development on existing adjoining occupiers and the amenity that future occupiers will experience both by proximity to other dwellings and by the environment into which they will live.
- 7.6.2. Residents of Limestone Croft have raised concern in relation to proximity of the block in the southern quarry. Since residents moved into this first element of the scheme they have benefited from uninterrupted views to the west and no noise and disturbance. In this context it is understandable that they may wish this to continue. However, it was always intended that development would occupy this southern quarry. Initially this was to be employment with residential over. Whilst the building now proposed is taller than those, it is positioned at the northern frontage of the site. Given this location, even though residents of Limestone Croft will be aware of its presence, they will not suffer any significant impact on their amenity due to the separation involved.
- 7.6.3. The future residents of the flats either side of the road will overlook one another at relatively close distances. Whilst in a more enclosed environment this might be more of a concern future residents of the flats will be in an elevated and relatively open environment such that they will have a satisfactory standard of residential amenity.
- 7.6.4. Future residents of the housing will occupy new units with building works surrounding them. This is not an uncommon scenario but the scale of remediation and land remodelling at Cawdor Quarry is substantial. It is clearly important that the phased groundworks stay ahead of residential occupation such that the land around a phase is remodelled ahead of units being occupied. The applicants have indicated an intention to deal with this via the phasing of development in a clockwise manner but this and the timing of remediation / remodelling will need to be conditioned.

7.7. Other Matters

- 7.7.1. The first phase of development incorporates provision of a shop. This as the wider site develops could prove a very useful and accessible community facility within walking distance of many homes. Its size is not so great as to require any retail assessment and its provision accords with Policy HC15 of the Plan.
- 7.7.2. The Development Control Archaeologist has highlighted the potential for industrial archaeology within the quarry. The quarry has a multitude of remnant structures and semi-derelict buildings which may merit appropriate recording. It is, therefore, considered appropriate to impose a condition to seek an appropriate desk top and walkover survey to record the archaeological interest present.
- 7.7.3. Drainage and remediation of the site have already been mentioned in the discussion on phasing and amenity. Whilst there are obvious linkages across phases in terms of how the work will be implemented there is no reason why this cannot be the subject of conditions given that the Environment Agency and Environmental Health have signed off the relevant reports as acceptable.
- 7.7.4. Public open space is an important component of the environment within residential layout. Although provision is limited to some small incidental areas in this Phase 1, the nature of future occupants means that formal play areas are unlikely to be in high demand. It will, of course, be necessary to make sure adequate provision is made in adjoining phases to meet the needs of the family housing.

8.0 THE PLANNING BALANCE

- 8.1. Planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise. In this context the newly adopted Local Plan accords with the National Planning Policy Framework and carries full weight.
- 8.2. Policy DS9 of the Local Plan focuses on land at Cawdor Quarry. Whilst the policy requires a comprehensive approach, given the parallel consideration of a scheme covering the whole quarry, it is not considered that the consideration of a first phase as a full application to allow early progress is at odds with this aim. The policy seeks affordable housing but for reasons fully explored in the comprehensive application this is not feasible for viability reasons. It may be feasible to offer up funding for the CCG off the back of the outline application but this should be linked to demand and it is not considered necessary to secure this on the first phase. In the round, whilst the policy addresses the site in its totality, this first phase is considered to broadly accord with its aims and as such is in general accordance with Policy DS9.
- 8.3. Policies HC4 and HC11 cover affordable housing and housing mix. Notwithstanding the comments above on affordable housing the mix of unit sizes on Phase 1 is appropriate to context and policy compliant.
- 8.4. The consideration of Phase 1 as a standalone application should not prevent full accordance with policies in relation to drainage, contamination, open space and biodiversity and it is logical with the latter two that provision is made on the wider site to offset modest requirements on Phase 1.
- 8.5. Policies PD1 and S3 focus on design. In relation to these the development is broadly compliant. The design approach is bold and responds to this challenging site with its dramatic backdrop. The only area of concern is how the easternmost flatblock responds to the environment and its positioning and height combine to make it unduly prominent. It is, however, considered feasible to redesign this area to address this concern as it is not an overriding and fundamental objection.
- 8.6. The provision of retail facilities of this scale is considered acceptable in policy terms and other matters such as archaeology and amenity are not overriding concerns.
- 8.7. This site has a longstanding planning permission and sits within the wider allocation. The redevelopment of Cawdor Quarry can deliver economic, social and environmental benefits to Matlock. Whilst these will flow principally from the comprehensive development of the whole site, this does not preclude determining this application on its merits. A separate first phase permission will allow the developers to make an early start and the requirements of the legal agreement can reasonably flow from the outline permission in due course when the demands they generate occur. On balance, subject to the resolution of the design matter in relation to the eastern most flat block, it is considered that permission can be granted for this development which is in broad accordance with the requirements of the Development Plan.

9.0 RECOMMENDATION

Subject to the satisfactory resolution of the design concern identified in relation to the easternmost flat block, planning permission be granted subject to the following conditions covering the following matters:-

1. Full planning permission time limit.
2. Amended plans.
3. Remediation strategy to be submitted and implemented.
4. No occupation of dwelling until verification report agreed.

5. No further development to occur if previously unidentified contaminants are discovered.
6. Piling or other penetrative foundation designs shall not be permitted without express written consent.
7. Development to be carried out in accordance with the approved flood risk assessment.
8. Prior to the commencement of development the phasing of site decontamination, land remodelling and the integration of drainage on adjoining land to be approved.
9. Clearance of vegetation outside bird breeding season.
10. Walkover survey of site to be undertaken to check for any signs of protected species, in particular badger before development commence.
11. Details of ecological mitigation to be submitted and agreed.
12. Full details of external materials to be submitted and agreed.
13. Architectural details to be agreed including window reveal, canopy structures, balcony railings, glazing panels, louvres, vents, heads cills and jambs.
14. Full details of all retaining structures to be submitted and agreed.
15. Details of rock face stabilisation to be submitted and agreed.
16. Details of fencing and netting of rock faces to be submitted and agreed.
17. Full details of hard and soft landscaping to be submitted and agreed.
18. Landscaping implemented in accordance with approved details.
19. Archaeological survey of quarry comprising desk top and walkover survey to be carried out prior to development commencing.
20. Details to minimise the spread of airborne dust to be agreed.
21. Removal of permitted development rights for certain house plots.
22. Highway conditions listed in consultation response (x19).

BACKGROUND PAPERS

The following documents have been identified in accordance with the provisions of Section 100(d) (5) (a) of the Local Government Act 1972 and are listed for inspection by members of the public.

Background papers used in compiling reports to this Agenda consist of:

- The individual planning application, (including any supplementary information supplied by or on behalf of the applicant) and representations received from persons or bodies consulted upon the application by the Local Planning Authority and from members of the public and interested bodies by the time of preparation of the Agenda.
- The Town and Country Planning Act 1990 (as amended), the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) and related Acts, Orders and Regulation and Circulars published by or on behalf of the Secretary of State for the Department for Communities and Local Government.
- The National Planning Policy Framework
- The Planning Practice Guidance

These documents are available for inspection and will remain available for a period of up to 4 years from the date of the meeting, during normal office hours. Requests to see them should be made to our Business Support Unit on 01629 761336 and arrangements will be made to comply with the request as soon as practicable.

BACK TO AGENDA