

6. FULL APPLICATION - DEMOLITION OF EXISTING INDUSTRIAL UNITS AND CONSTRUCTION OF REPLACEMENT EMPLOYMENT FLOORSPACE, IMPROVEMENT TO EXISTING SITE ACCESS, PARKING, LANDSCAPING AND OTHER ASSOCIATED WORKS AT RIVERSIDE BUSINESS PARK, BUXTON RD, BAKEWELL (NP/DDD/0316/0280, P4822, 421111/369121/ 30/03/2015/ALN)

APPLICANT: RIVERSIDE BUSINESS PARK LIMITED

Site and Surroundings

Riverside Business Park (RBP) lies on the north west side of Bakewell in the Wye valley approximately 0.8 km from the town centre. Land in ownership extends to 5ha north of the A6 Buxton Road and comprises a mixture of buildings used primarily for business (B1 use), general industrial (B2 use), and storage and distribution purposes (B8 use). Thornbridge Brewery and Pinelog Ltd also have a substantial presence on the Business Park.

There are some notable historic features on the site including a riverside mill, adjacent river bridge and facings to the mill leat, which are grade II listed. The site was originally developed as a mill complex by Sir Richard Arkwright and the original water management system, including the mill leat, is a Scheduled Ancient Monument. By virtue of the site's proximity to the River Wye and the water management systems, the site is located within the Environment Agency Flood Zone 3.

The application site edged red is located at the north western end of the business Park and is currently occupied by a business that manufactures timber chalet buildings (Pinelog Ltd). Within the application site there are buildings of various ages, styles and finishes but that relate to the later phases of 20th century development on the site. The application site is bounded by the River Wye and the A6 on its south western side and on the remaining sides, abuts existing industrial building on the business park.

Outside of the application site edged red, but adjacent to the site within the wider business park there are also some notable historic features including a riverside mill, adjacent river bridge and facings to the mill leat, which are grade II listed. The site was originally developed as a mill complex by Sir Richard Arkwright and the original water management system, including the mill leat, is a Scheduled Ancient Monument. By virtue of the site's proximity to the River Wye and the water management systems, the site is located within the Environment Agency Flood Zone 3.

The eastern part of the application site (the access) lies within the Bakewell Conservation Area and the entire application site lies within the Local Plan Development Boundary for Bakewell. There is also a specific Local Plan policy (LB7) relevant to the Business Park. LB7 promotes the comprehensive redevelopment of the site, predominantly for industrial/business use (Use Classes B1 and B2). This policy also requires the provision of a new access bridge across the River Wye if further development on the site results in an increase in existing floorspace on the Business Park.

The site is currently accessed from the A6 via a narrow stone bridge unsuitable for HGVs, and from the residential road 'Holme Lane', which itself is frequently used for residential parking on its northern side, resulting in significant sections of the lane being of single vehicle width. This makes Holme Lane awkward for use by heavy goods vehicles serving the various businesses operating from the RBP. The eastern end of Holme Lane serves 6 residential properties and a business premises. At the western end of Holme Lane, the access to the RBP reverts to a single-width tarmacked track, which passes immediately alongside the front gardens of a row of 26 terraced and semi-detached properties at Lumford, whose main vehicular access is also via Holme Lane.

Proposal

The application seeks full planning permission for the demolition of 4313 sqm of existing industrial buildings and the construction of 3696 sqm of replacement employment floorspace. The proposed development would consist of 4 new build portal framed industrial units, with associated parking, loading and access areas. The buildings have been designed to replicate existing more modern industrial buildings at the northern end of the site.

A statement submitted with the application explains that the development would enable the provision of more suitable, functional and appropriate employment floorspace than is provided by the present buildings on the site which are no longer fit for purpose. The agent also states that *'the scheme has been designed expressly around the requirements of Pinelog and will provide operational space suitable to meet the ongoing needs of the Pinelog business.'* They also state that *'the buildings are designed to meet the potential needs of a broad range of businesses, given that the buildings are expected to have a 50+ years lifetime and floorspace needs to be flexible'*

The two smallest units (units 13 and 14 on the submitted plan) would measure 40m long by 12m wide and each would have a floor area of approx. 475 sqm. They would be arranged along the south western boundary of the site, with their ridges following the line of the River Wye. The plans show that each building could be divided into 4 separate units. Unit 15 would sit along the north western boundary of the site, backing onto an existing industrial building of the same size and design (known as Kingfisher building). It would measure 64m long by 18m wide with an overall floorspace of 1096 sqm and could be divided into 7 separate units. The largest building (unit 12) would measure 28m (at its longest point) by 31m wide and could be divided into 8 units. It would have an overall floorspace of 1626 sqm.

Each building would have a dual pitched roof clad in slate blue sheeting. The walls would be clad in grey coloured pre-coated sheeting. On the 'inward' facing elevations, there would be glazed and sheeted panels between gritstone faced piers. Solar pv panels are shown on the roofslopes that face into the site and rooflights are indicated on the outwards facing roofslopes.

During the course of the application the applicant has made it clear that the buildings would provide for use classes B1 (business), B2 (general industrial) and B8 (storage and distribution) and for no other employment generating use.

A total of 68 car parking spaces are proposed within the application site together with a further 10 HGV parking spaces.

The existing access arrangements i.e. via the stone bridge to the A6 and via Lumford and Holme Lane would be retained. The existing access road that runs along the south eastern and north eastern boundaries of the application site would be upgraded and re-surfaced and a new spur would be created off it to give access into the site for the new buildings.

The submitted plans showed the provision of three 'passing places' at intervals along the south side of the access road at Lumford, together with a pedestrian footpath located between the access track and the river.

The application is accompanied by a Design and Access Statement; Heritage Impact Assessment; Archaeological Assessment, Ecological Survey and Mitigation reports; Transport Statement; Flood Risk Assessment; Arboriculture Report; and Geotechnical Report

RECOMMENDATION:

That the application be **APPROVED** subject to the following conditions:

1. 3 year implementation time limit.
2. Adopt submitted and amended plans.
3. The buildings hereby approved shall be used solely for business uses, general industrial and storage and distribution uses as specified in B1, B2 and B8 of the schedule to the Town & Country Planning (Use Classes) Order 1987(as amended) or in any order revoking and re-enacting that order.
4. Notwithstanding the provisions of the The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order) no alterations to the external appearance of the buildings hereby approved shall be carried out and no extensions, or ancillary buildings, shall be erected within the red-edged application site without the National Park Authority's prior written consent.
5. Within 6 months of a new road bridge to the A6 being constructed and first brought into use, a scheme for the removal of the passing places and the reinstatement of the land to its former condition shall be submitted to and agreed in writing by the National Park Authority. Thereafter the agreed scheme shall be completed within 12 months of the bridge being first brought into use.
6. Before any other operations are commenced, space shall be provided within the site for storage of plant and materials, site accommodation, loading, unloading and manoeuvring of goods vehicles, parking and manoeuvring of employees and visitors vehicles, laid out and constructed in accordance with detailed designs first submitted to and approved in writing by the Local Planning Authority. Once implemented the facilities shall be retained free from any impediment to their designated use throughout the construction period.
7. Before any operations are commenced, excluding Condition No 5 above, the passing places on Holme Lane shall be constructed and the lane re-surfaced in accordance with the amended drawing and retained free from any impediment to their designated use throughout the life of the development.
8. Throughout the period of development, vehicle wheel cleaning facilities shall be provided and retained within the site. All construction vehicles shall have their wheels cleaned before leaving the site in order to prevent the deposition of mud and other extraneous material on the public highway.
9. No part of the development shall be occupied until the proposed access road works within the site have been carried out and constructed in accordance with application drawing number 2016-007/101 Rev D.
10. No unit shall be taken into use until space has been laid out within the site in accordance with application drawing number 2016-007/101 Rev D for 68 cars and 10 HGV's to be parked and for all vehicles to turn so that they may enter and leave the site in forward gear. These facilities shall thereafter be retained for use at all times.

11. Prior to commencement of development, a scheme to raise and refurbish the riverside wall shall be submitted to and approved in writing by the National Park Planning Authority in consultation with the Environment Agency. The scheme to be submitted shall demonstrate the continuity of flood protection up to a 1 in 100 year plus climate change flood event plus 400mm freeboard allowance. The scheme to be submitted shall be based upon drawings showing upstream and downstream tie-in arrangements and an assessment of the structural integrity of the existing riverside wall and shall make recommendations for any remedial measures required to the riverside wall. The works shall be carried out in full compliance with the recommendations and details to be submitted and any phasing / timetable embodied within the scheme.
12. The finished floor levels of buildings shall be in accordance with the approved plan entitled 'Preliminary Finished Levels' (Drawing Number 2016-007/803 Revision A, dated 11 March 2016) unless otherwise agreed in writing by the National Park Planning Authority in consultation with the Environment Agency.
13. No development shall take place until a detailed design and associated management and maintenance plan of surface water drainage for the site, in accordance with DEFRA Non-statutory technical standards for sustainable drainage systems (March 2015), has been submitted to and approved in writing by the National Park Authority. The approved drainage system shall be implemented in accordance with the approved detailed design prior to the use of the buildings commencing.
14. a) No development shall take place until a Written Scheme of Investigation for archaeological work has been submitted to and approved by the local planning authority in writing in accordance with a brief for the works issued by this Authority, and until any pre-start element of the approved scheme has been completed to the written satisfaction of the local planning authority, this includes the programme of building recording. The scheme shall include an assessment of significance and research questions; and
 1. The programme and methodology of site investigation and recording;
 2. The programme for post investigation assessment;
 3. Provision to be made for analysis of the site investigation and recording;
 4. Provision to be made for publication and dissemination of the analysis and records of the site investigation;
 5. Provision to be made for archive deposition of the analysis and records of the site investigation;
 6. Nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation"

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

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

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15. **A detailed design and methods statement for the scheme and foundation design for use in areas of archaeological sensitivity, as determined by the programme of archaeological works, shall be submitted to and approved by the National Park Authority in writing prior to the commencement of the construction phase of the development. No development shall take place in areas of proven archaeological sensitivity other than in accordance with the details of the approved scheme.**
 16. **No development shall take place until a method statement/construction environmental management plan has been submitted to and approved in writing by the National Park Authority. This shall deal with the treatment of any environmentally sensitive areas, including the River Wye corridor, their aftercare and maintenance as well as a plan detailing the works to be carried out showing how the environment will be protected during the works. Such a scheme shall include details of the following:**
 - **The timing of the works**
 - **The measures to be used during the development in order to minimise environmental impact of the works (considering both potential disturbance and pollution)**
 - **The ecological enhancements as mitigation for the loss of habitat resulting from the development**
 - **A map or plan showing habitat areas to be specifically protected (identified in the ecological report) during the works.**
 - **Any necessary mitigation for protected species**
 - **Any necessary pollution protection methods**
 - **Information on the persons/bodies responsible for particular activities associated with the method statement that demonstrates they are qualified for the activity they are undertaking. The works shall be carried out in accordance with the approved method statement.**
 17. **If works take place bird breeding season (March to September inclusive), then suitable nesting features for Grey Wagtail shall be surveyed for active bird nests by a suitably qualified ecologist before the work is carried out. If active bird nests are present, then work within the area supporting the nests shall be delayed until nesting activity has ceased.**
 18. **No development shall take place until a scheme providing nesting opportunities for a range of bird species (including grey wagtail) on the application site has been submitted to and approved in writing by the National Park Authority. Thereafter, the development shall not be carried out other than in complete accordance with the approved scheme**
 19. **Prior to the erection of any external lighting on the site a lighting plan shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and thereafter retained for the lifetime of the development. The submitted scheme shall be designed to take into account the advice on lighting set out in the Bat Conservation Trust document Bats and Lighting in the UK.**
 20. **Before works commence the small stand of cotoneaster shall be removed from the site in order to minimise the risk of spreading this plant through the course of the works.**

21. **Appropriate ecological conditions with regards to bats – to be determined prior to the committee meeting.**
22. **Before commencing the development hereby approved a detailed scheme for landscaping (including tree and shrub planting seeding or turfing, earthmounding, walling, fencing or ground surfacing as necessary) shall be submitted to and approved in writing by the National Park Authority. The scheme shall include provision for the removal of the existing leylandii trees and replacement with native species. Once approved, the planting or seeding shall be carried out to the reasonable satisfaction of the Authority within the first planting seasons following completion or occupation of the development. Any walling or surfacing shown on the approved plan shall be completed before the building is first occupied. Any trees dying, being severely damaged or becoming seriously diseased shall be replaced within the next planting season with trees of an equivalent size and species or in accordance with an alternative scheme agreed in writing by the Authority before any trees are removed.**
23. **Recommendations and further investigations in Chapter 6 of the Phase 1 Geotechnical and Geo-environmental Site Investigation Report by Eastwood and Partners dates April 2015 as they apply to the application site shall be fully implemented.**

Key Issues

- Whether the proposals accord with the requirements of Core Strategy policy E1 and saved Local Plan policy LB7 with regard to the redevelopment of the site predominantly for industrial/business use.
- Whether the proposals are acceptable in planning terms with regard to flood risk issues; ecology; archaeology and heritage assets; highway issues; site contamination and impact on amenity of local residents.

Relevant Planning History

The use of the site as an industrial estate pre-dates planning controls. Subsequently, the site has a long history of time-limited consents for "temporary" buildings which have been renewed many times from the 1950s onwards. From the late 1980s, the planning history of the site is more directly related to the organic growth of the site and provision of infrastructure to facilitate its redevelopment. The following planning history is considered to be the most relevant to the current application:

1989	Planning permission granted for new access road from A6 and bridge over River Wye to serve industrial estate.
1994	Planning permission renewed for access road and bridge to serve the industrial site based on 1989 consent.
2002	Planning permission renewed for access and bridge over River Wye to serve the industrial estate based on 1994 consent.
2004	Listed building consents granted for construction of flood defence walls (not implemented).

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- 2004 Submission of an application for outline planning permission for redevelopment of the site. The application proposed a mixed use redevelopment including demolitions, conversion and new build to provide employment and residential uses.
- 2005 The Authority's Planning Committee resolved to defer determination of the 2004 application for the redevelopment of the site requiring more information about enabling development; potential for more affordable housing; a flood risk assessment; and provision of interpretative facilities relating to the archaeological and historic buildings and features on the site.
- 2005 Temporary consent granted for change of use of Unit 16 to allow textiles / embroidery mail order and teaching business including storage and ancillary retail sales.
- 2005 Planning permission granted for new industrial unit with associated service yard and parking and extension to Pinelog's existing industrial unit. A planning condition was attached stating that:
“There shall be no increase in industrial building floorspace on the Riverside business park without the prior provision of a vehicular access on to Buxton Road, which is capable of use by heavy goods vehicles. In the event of no new access being provided, a plan shall be submitted for approval and implementation showing demolition of buildings to permit replacement by the development hereby approved.”
- 2006 The Authority's Planning Committee resolved to defer determination of the 2004 application for redevelopment of the site to enable further information regarding the enabling development to be obtained and reported back to the next meeting and, in addition, the potential for affordable housing, a flood-risk assessment and the provision of interpretive facilities relating to the archaeological and historic buildings features on the site.
- 2006 Temporary consent granted for retention of timber store for Pinelog.
- 2007 Submission of environmental impact assessment to support the 2008 Masterplan – Revision 18 submitted in 2008
- 2008 Planning permission renewed for creation of access road and bridge over river to provide access to W Fearnough LTD (Riverside Business Park) based on the 2002 consent.
- 2008 Submission of amended plans (Masterplan - Revision 18) to support the 2004 application for redevelopment of the site.
- 2009 Planning permission granted for installation of new solar panels on roof of Unit 11.
- 2010 Planning permission refused for the 2004 application for redevelopment of the site by the Authority's Planning Committee. The application was determined on the basis of the Masterplan (Revision18) and refused for the following reasons:
- The proposed development, as shown on Masterplan 18, was held contrary to Local Plan policy LB7 and the submitted details failed to offer sufficient justification or information to warrant a departure from LB7.

- The loss of employment space and the level of affordable housing shown on Masterplan 18 were considered to conflict with the requirements of RSS policy 8 and the objectives of policies in the Development Plan that seek to address the social and economic needs of the local community within the National Park.
- The submitted details were held not to provide sufficient information to demonstrate that the development and proposed phasing would secure the long term sustainability, vitality and viability of the business park and fail to demonstrate that the proposal would achieve the objectives of Planning Policy Statement 4 (PPS4): Planning for Sustainable Economic Growth in respects of sustainable economic growth in rural areas.

An appeal was subsequently lodged against the refusal of planning permission for the 2004 application for redevelopment of the site but the appeal was withdrawn prior to determination.

2011 Planning permission for what was effectively a resubmission of the 2004 planning application proposing demolition of existing buildings to provide a mixed use employment (Class B1/B2 and B8/residential development (new Build and conversion), car parking and associated works. This application was refused by the Authority's Planning Committee for the following reasons:

- The proposed development, as shown on Masterplan 22, was held contrary to Local Plan policy LB7 and the submitted details failed to offer sufficient justification or information to warrant a departure from LB7.
- The loss of employment space and the level, form and location of affordable housing shown on Masterplan 22 would not meet the requirements of RSS policy 8 and the objectives of policies in the Development Plan that seek to address the social and economic needs of the local community within the National Park.
- The cumulative loss of employment space and the proposed phasing would not secure the long term sustainability, or vitality and viability of the business park and the submitted details otherwise fail to demonstrate that the proposal would achieve the objectives of Planning Policy Statement 4 (PPS4): Planning for Sustainable Economic Growth in respects of sustainable economic growth in rural areas and Local Plan policy LB7.

An appeal was subsequently lodged against the refusal of planning permission for the 2011 application for redevelopment of the site but this appeal was again withdrawn prior to determination.

2012 Planning permission granted for a variation to the 2005 permission granted for a new industrial unit with associated service yard and parking and extension to Pinelog's existing industrial unit to allow a gym to operate from part of one of the two new units allowed by this permission. This building (Building K) now accommodates a gym, a cash carry and Thornbridge Brewery, who also occupy the whole of the second new unit allowed by this permission.

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- a gym, a cash carry and Thornbridge Brewery, who also occupy the whole of the second new unit allowed by this permission.
- 2013 Planning permission granted for the installation of two bulk malt handling silos adjacent to the unit occupied by Thornbridge Brewery.
- 2014 Planning permission and Listed Building Consent granted for the erection of a closed circuit security camera mast/ camera installation to provide surveillance of vehicles entering and leaving the Business Park.
- December 2015 Planning permission refused for proposed demolition of former mill buildings, associated structures and other buildings and seeking full planning permission for hotel (C1) development incorporating ground floor floorspace with flexibility to be used for café (A3) and gym (D2), improvements to existing site access, parking, landscaping and other associated works. An appeal was lodged in April 2016 and a date for an informal hearing has been set for October 2016.
- December 2016 Planning permission refused for demolition of former mill buildings, associated structures and other buildings and outline planning permission for mixed use development comprising Class A1 foodstore and floorspace with flexibility to be used for Class A1 (non-food), Class A3, Class B1/B2/B8 and Class D2 uses, improvements to existing site access including connection to previously approved and implemented new bridged access from Buxton Road, parking, landscaping and other associated works

Consultations

External Consultees

County Council (Highway Authority) – no objections to the application subject to a number of recommended conditions in the interest of highway safety.

County Council (Strategic Planning) – the proposed development looks to be well conceived and would remove only those buildings which are in a poor or dilapidated state. Those buildings would be replaced by new modern employment floorspace of a similar of a similar scale and mass that would be much more attractive to prospective occupiers, although it is recognised that there would be net loss of around 617 sqm of floorspace. The main concerns are that the proposals provide no details of the range of ‘employment uses’ proposed. Any planning permission should, by way of condition, restrict use classes to B1, B2 and B8. Given the out of centre location any further A1, A3, A4 or A5 uses would be more likely to impact on the vitality and viability of Bakewell town centre. Also concerns about loss of existing floorspace. Subject to these points the development would be compatible with a number of key objectives in the Derbyshire Economic Strategy Statement.

County Council (Local Lead Flood Authority) – no objections subject to a condition requiring the submission, agreement and implementation of a detailed design and associated management and maintenance plan of surface water drainage for the site, in accordance with DEFRA Non-statutory technical standards for sustainable drainage systems (March 2015).

District Council (Economic Development Manager) - A key consideration is the impact on the existing occupier of the units proposed for demolition, Pinelog, a significant employer within Bakewell. It is therefore important that the reduction in overall employment floorspace provision proposed and design of new units is capable of accommodating existing business operations. Any demolition and re-development will need to be planned and phased in liaison with existing

occupiers and a more comprehensive demolition strategy would help in this regard.

As indicated, the proposed development does not result in an increase in existing floorspace on the site. However, the application would be strengthened with the delivery of the new bridge and access off the A6 and District Council officers understand the proposed scheme would not preclude this from being delivered. The applicant must therefore be encouraged to bring forward this consented access as soon as is practicable within the overall re-development of the site and the potential for grant support be pursued as part of the funding mix.

District Council (Environmental Health Officer) – no objections

Environment Agency - no objections subject to conditions relating to the raising and refurbishment of the riverside wall and with regard to finished floor levels.

Severn Trent Water - no response to date.

Historic England – Any remains of the early water power features associated with Arkwright's Mill at Bakewell (mill pond and associated structures) would contribute directly to the significance of the scheduled monument. Their survival and significance therefore require appropriate evaluation. Such remains may have significance in their own right or contribute to the significance of the scheduled monument as setting (see GPA 3 Setting of Heritage Assets). The impacts of the development should (in line with NPPF paras 132 and 134) be weighed by your authority on balance of public interests giving great weight to the conservation of the scheduled monument (mindful also of your statutory duties under the 1990 Listed Buildings and Conservation Areas Act with special regard to the desirability of preserving the setting of the listed building). Through the reduction of impacts and the recording of such remains as may unavoidably be lost, impacts should be mitigated in a manner proportional to the assets' importance. It is possible that material of demonstrable equivalent importance to the scheduled monument (NPPF para 139) may survive and if this is the case they should be treated on parity with the scheduled monument itself.

The nineteenth and twentieth century industrial remains on site contribute positively to the significance of the scheduled monument and associated listed building in terms of the on-going (post-fire) industrial uses of the site. In line with NPPF paras 132 and 134 and 1990 Act your authority should give great weight (and have special regard) in respect of the scheduled monument and listed building in balancing harm against other public interests. Where your authority is minded to grant consent for demolitions such structures as are to be lost should be recorded in a manner proportionate to their significance in the setting context of the monument. In this respect the remains associated with the submarine battery works may be of particular interest.

Refer to the expert advice of your authority's Senior Conservation Archaeologist in respect of those matters. With regard to the external appearance of new structures refer to the advice of your Authority's Conservation Officers.

Natural England - no objections subject to an assessment of impacts on protected species and the National Park which should be undertaken by the Authority's ecologist and landscape specialists. Additionally the scheme may also provide opportunities to incorporate features into the design which are beneficial to wildlife.

Town Council – The Town Council cannot recommend approval of the application at this time. No update has been seen from Historic England relating to Harm to Heritage Sites. There is significant objection from local residents with valid concerns, including a possible miscalculation of square metres involved in the application. The stated use range for the application is not shown (which may be a risk to the viability to the town centre). No new bridge forms part of this

application. The application is effectively phase 3 of the original application for the site which as a whole was not approved. There is an awaited appeal decision on phase 1 of the site (hotel) which, if approved, also has no new bridge as part of the application (taking this application as part of the wider context of the whole site). Relevant material planning considerations are felt to be: Failure to comply with adopted planning policies; The planning history of the site; Highway issues including traffic generation, vehicle access and road safety; Effect on listed buildings and Conservation Areas; Impact of archaeological sites.

Internal Consultees

National Park Authority (Landscape Architect) – Overall this application should represent a visual landscape improvement as seen from the A6 and the adjacent woodland to the north as it removes dilapidated buildings. Visually although the leylandii do provide some screening they should be removed and replaced with deciduous trees/shrubs. I have specific concerns about the suggested landscaping including tree and shrub species, size of stock and if landscaping recommended is appropriate, however this can be dealt with by condition.

National Park Authority (Conservation Officer) - would not support the construction of passing places and a footpath as shown on submitted plans, because they would have a negative impact on the character of the Conservation Area and therefore harm its significance.

National Park Authority (Ecologist) - no objections subject to conditions with regard to the submission and agreement of a construction method statement; works to avoid impacts on and mitigation for Grey Wagtail; submission of external lighting scheme; bat mitigation and removal of invasive species.

National Park Authority (Archaeologist) - There is a level of uncertainty both in relation to the nature and significance of surviving archaeological remains and the impact so the proposed development upon them. The usual course of action to provide the information required would be to request an archaeological field evaluation takes place, in line with Para. 128 of NPPF. However, it is appreciated that the nature of the site as one currently in active use by a number of businesses and almost entirely covered by existing building and hard standing areas, to conduct a field evaluation whilst the site is in active use is not practical or possible.

However, the nature, extent, character and significance of surviving archaeological remains does need evaluating in order to fully understand archaeological significance and impact, to allow the preservation in situ of nationally important archaeological remains and to allow an appropriate archaeological mitigation strategy to be formulated for remains of lesser significance.

The statement of intent formulated by Archaeological Research Services received from Nathaniel Lichfield and Partners is welcomed. This establishes that enough flexibility exists in both the scheme itself and in the proposed timetabling, for the developer to work with the authority, and particularly the Senior Conservation Archaeologist, to achieve preservation in situ of remains where required by means of using appropriate foundation design, raising ground levels, reuse of existing concrete pads etc.

In relation to the programme of works proposed in the statement of intent, particularly point 2 of the proposed programme, advises that evaluation trenching is required across the site in areas where former water management and millpond features may survive, particularly in relation to the proposed Units 12 and 15, and not just in the area of the Nissan Huts as point 2 implies. As the programme of archaeological works needs to be carried out in accordance with a brief issued by this Authority and a Written Scheme of Investigation approved by this Authority details of trench locations can be formally agreed by this process to achieve the coverage required.

Subject to appropriate conditions to secure a programme of archaeological works (including the building recording required) and conservation in situ where required, the positive determination of the application is supported.

Representations

Individual neighbour notifications of the Lumford residents have been undertaken and site notices have been erected.

15 letters of support have been received (including 6 from representatives of Thornbridge Brewery and 4 from other local businesses) on the following grounds:

- Riverside Business Park is the mainstay of the local economy, being home to 30 companies and providing employment for 230 people.
- Growth would benefit the local area in terms of employment and visitor numbers.
- Riverside is in serious need of refurbishment and regeneration.
- Scheme is sensitively designed and concerns of local residents have been taken into account.
- Overall industrial floorspace would be reduced.
- One of the limitations to further expansion and increased employment opportunities at Thornbridge Brewery is the availability of suitable buildings on site.
- The scheme will benefit existing businesses at the site by improving their standing in the community. It would reduce the possibility of businesses seeking to relocate elsewhere.
- If refused the scheme would hinder the potential growth of Thornbridge Brewery.
- There is a demand for the type of business space proposed.
- Businesses on the site are significant local employers in Bakewell and the wider National Park and need to be encouraged and retained.
- The current unsightly buildings prevent appreciation of the historic assets on the site.
- The development would provide improved parking facilities.

A letter of support has been received from 'Business Peak District' which represents business interests in the local area. The following points are raised:

- The proposals represent a rare and significant opportunity to secure substantial private investment in the local economy.
- The existing buildings on the site are not fit for purpose.
- The proposals are for new modern business facilities within the existing employment floorspace.
- The success of the application is key to the case for a 'Growth Deal' to deliver improvements to the bridge access.

14 individual letters of objection have been received, 13 of which were from residents of Lumford and Holme Lane. They raise the following issues:

- There is still no provision for a new road bridge – this has obvious benefits and should be constructed first and foremost before any further development.
- Pinelog is a valued local employer and their loss from the site would be concerning.
- The area in front of Lumford is popular as it is scenic and the home for wildlife – the paths and passing places would disturb their habitats and be harmful to the character of the Conservation Area and the setting of the listed packhorse bridge. The area also floods after heavy rainfall.
- Concerns about increased traffic along Lumford and Holme Lane – the access is narrow, congested, dangerous and poorly maintained. Traffic has already increased and set to increase more when Thornbridge Brewery expands.
- Increased danger to residents whose garden paths open directly onto the access road – the proposed path would be ineffective in dealing with this.
- Hours of operation is an issue – at present the road is quiet at evenings and weekends – this could change depending on the use of the new units.
- Concerns over increase in traffic over and above that generated by current proposals if the hotel appeal is allowed.
- No confidence that the proposed ‘improvements’ to the access road after years of a poorly managed road despite increases in traffic volumes.
- Residents have the right to the peaceful enjoyment and quality of life in their own homes.
- The 68 parking spaces in the application do not seem to include those in the communal parking area at the entrance to the site.
- Would the proposals compromise the delivery of the road bridge?

A letter of strong objection has also been submitted from the Lumford and Holme Lane Residents Association. The letter reiterates many of the points made in the individual letters of objection, but also makes the following points:

- The existing access arrangements are deficient – the access road at Lumford is narrow and does not meet highway regulation standards. No design speeds or speed control features are offered and the small access improvements offered would be drowned by the intensification of movements.
- The demolition figures offered in incorrect in that they don’t take account of ‘temporary’ buildings on the site, where consent has expired and which are therefore unauthorised.
- Holme Lane is adopted but does not meet acceptable standards because of potholes and damage to curbs and retaining walls caused by heavy vehicles. The Design and Access Statement does not mention on street parking on Holme Lane and does not mention Lumford at all.

- The TRICS data provided is selective, focusing on peak levels of traffic. Traffic generation from Pinelog is predictable and contained – staff arrive and leave ‘en masse’ with limited visits from public and occasional deliveries by lorry. The proposed units could be subdivided into as many as 16 units with their own staff, customers and deliveries.
- Employment levels and the types of occupying businesses for the proposed replacement buildings does not appear to be given – it is possible that future tenants may employ only a small number of people versus the 80 jobs created by Pinelog.

A letter of objection have been received from the Bakewell and District Civic Society on the following grounds:

- The absence of a new bridge of a standard capable of taking commercial traffic giving direct access to the site from the A6 remains an essential pre-requisite to the successful redevelopment of the site.
- The site should have a comprehensive redevelopment plan, not a piecemeal replacement of existing units.
- The proposed widening of the road past Lumford Cottages is of concern as it would take much of the attractive riverbank area. This area is proposed as Local Green Space in the proposed Neighbourhood Plan.

Relevant Policy Context

Development Plan

Core Strategy

Policy GSP1 seeks to secure National Park purposes and GSP2 builds upon this by stating that opportunities should be taken to enhance the valued characteristics of the National Park and, (in part D) specific opportunities should be taken to remove undesirable features or buildings. This is expanded in policy L1 which relates directly to enhancement of landscape character, L2 to sites of biodiversity and geodiversity importance and policy L3 relating to the conservation and enhancement of features of archaeological, architectural, artistic or historic significance.

Policy GSP3 refers to development management principles. Relevant criteria listed in this policy relate to appropriate scale of development in relation to the character and appearance of the National Park, impact on access and traffic, and impact on living conditions of communities. Policy GSP4 recommends the use of conditions and legal agreements to ensure that benefits and enhancement are achieved.

Policy DS1 is the development strategy. Bakewell is a named settlement under this policy and as such ‘small scale’ business premises would be permitted in or on the edge of the settlement.

Core strategy policy E1 B states that proposals for appropriate improvements to make existing employment sites in Bakewell more attractive to businesses will be welcomed.

CC5 relates to flood risk and the presumption against development which increases flood risk, and policy T1 which aims to reduce the need to travel by unsustainable means.

Saved Local Plan Policies

Saved Local Plan policy LB7 sets out specific provisions for the re-development of Riverside Business Park, which is allocated in the Local Plan as a designated employment site. LB7(a) says that Comprehensive redevelopment, predominantly for industrial/business use (Use Classes B1 and B2) will be permitted on some 5 hectares at Riverside Business Park, provided that:

- i. the Listed Building and Scheduled Ancient Monument and their settings are adequately safeguarded in the long term;
- ii. design, layout, landscaping and neighbourliness with adjacent uses are satisfactory;
- iii. a new access bridge is built across the River Wye, and the old bridge is closed to vehicles.

Policies LC16, LC17 and LC18 refer to the protection of archaeological features; site features or species of wildlife, geological or geomorphological importance; and safeguarding nature conservation interests respectively. All seek to avoid unnecessary damage and to ensure enhancement where possible.

LT10 states that in new development, parking must be of a very limited nature or accompanied by on-street waiting restrictions. LT18 seeks to ensure that the highest standard of design and material is achieved in transport infrastructure to conserve the valued character of the area.

Policy LC4 expects a high standard of design with particular attention being paid to scale, form and mass, building materials, landscaping, and amenity and privacy. LC24 requires that development on land believed to be contaminated will be permitted provided that an accredited risk assessment is agreed.

The relationship between these policies in the Development Plan and national planning policies in the National Planning Policy Framework has also been considered and it is concluded that they are consistent because the Framework promotes sustainable development sensitive to the locally distinct character of its setting and places great weight on the conservation of the scenic beauty of the National Park, its wildlife and heritage assets.

Assessment

Issue 1 - Whether the proposals accord with the requirements of Core Strategy policy E1 and saved Local Plan policy LB7 with regard to the redevelopment of the site predominantly for industrial/business use.

Principle of Development

In terms of the Town and Country Planning (Development Management Procedure) Order 2010 the current proposals represent 'major development' as they would create over 1000 sqm of floorspace. In planning policy – both national and local – the term major development is also referenced. Specifically paragraph 116 of the NPPF and Core Strategy policy GSP1 seek to resist major development in National Parks in all but exceptional circumstances.

A High Court decision in 2013 found that for the purposes of planning policy, ‘major development’ should not have the same meaning of as in the 2010 Order; rather it should be considered in the context of the document it appears and concludes that it is reasonable to apply the ‘normal meaning’ of the words when interpreting policies.

It is reasonable in the instance therefore, to assess whether or not the development is major by reference to its potential impacts on the National Park’s valued characteristics as protected by planning policies. In this case the site in question is located on an existing industrial park in Bakewell, and the principle of redeveloping the site for further industrial/business use is established in Saved Local Plan policy LB7. In addition a recent study ‘The Bakewell Employment Land and Retail Review 2016’, commissioned by the National Park Authority, concluded that *‘The Riverside Business Park is a key industrial estate where continued employment use should be supported’...‘There is a clear justification for retention of the site for continued employment use and the redevelopment of derelict buildings’.*

Another consideration is whether the proposals would compromise the delivery of the new road bridge to the A6, for which planning permission has been granted. During the course of the application, a further drawing has been submitted which demonstrates that the bridge and its associated engineering and grading works close the application site could still be constructed as approved if the current proposals were to go ahead.

Consequently in principle the proposals, which are to upgrade and replace the existing employment site for B1, B2 and B8 uses, without compromising the delivery of the new road bridge, meet with the overall intentions of LB7 and E1 and are in line with the recommendations of the Employment Land Review. As such the development cannot reasonably be considered to be major in terms of its likely impacts. That is not to say that its impacts could not still be significant within the context of the site itself and its immediate surroundings – only that the restrictions placed on major development by national and local policy are not considered to apply to the proposal.

Objectors have raised issue with the fact that the proposals do not amount to a ‘comprehensive redevelopment’ of the site as referred to in policy LB7 but rather amount to a more ‘piecemeal’ approach. Whilst this is acknowledged it should be recognised that LB7 is a ‘permissive’ policy in that it allows for the comprehensive redevelopment of the site but does not state that this must be a pre-requisite for any further development. Furthermore the proposals are in line with the overall intentions of LB7 by providing replacement B1 and B2 uses.

The decision on the application must therefore rest on the consideration of a range of site specific issues with regard to design and landscaping; impacts on archaeology and heritage assets; ecology; flood risk; site contamination; highway issues; and impact on the amenity of local residents.

Issue 2: Whether the proposals are acceptable in planning terms with regard to design and landscaping; flood risk issues; archaeology and heritage assets; ecology; site contamination; highway issues and impact on amenity of local residents .

Design and Landscaping

Core Strategy policy GSP3 states that development must respect, conserve and enhance all valued characteristics of the site and building that are subject to the development proposals. Policy LC4 expects a high standard of design with particular attention being paid to scale, form and mass, building materials, landscaping, and amenity and privacy.

In this case the existing buildings on the site have been erected in an ad-hoc fashion over a number of years in a variety of designs and materials. Some of the buildings are visible from the A6 and at present, despite that fact that the blister hangars may have some historic significance (discussed later in the report), on the whole the buildings do not contribute positively to the character and appearance of the area.

The proposed buildings would be constructed to a standard design to match existing, adjacent buildings to the north. The fact that the buildings vary in size and would be arranged loosely around the proposed access roads and parking areas gives a fairly informal layout which is in keeping with the character of the site. The buildings appear to be fit for purpose and appear to be flexible and adaptable given that the purposes for which they are used may change over their lifetime. As a result, in the context of the site, the siting and design of the buildings is considered to be acceptable and in accordance with GSP3 and LC4.

There are a number of leylandii trees growing along the south western boundary of the site, close to the river bank and the submitted arboricultural report and landscape layout plan indicate that these would be retained. Whilst these trees do provide some screening of the site from the A6, they are not native species and the Authority's Landscape Architect considers that they should be removed and replaced with native trees in order to provide some enhancement to the site. It is considered that this, and a more appropriate choice of native plants for proposed planting areas on the remainder of the site, can be achieved by means of a condition that requires the submission and agreement of a landscaping scheme.

Flood Risk

The site is located within the Environment Agency Flood Zone 3. Buildings used for offices, general industry and storage and distribution are classified as 'less vulnerable' and as a result the Exception Test does not need to be applied for any part of the proposed development.

In respect of the Sequential Test a material consideration is that the site is allocated through saved policy LB7 for comprehensive redevelopment and as such the submitted Flood Risk Assessment (FRA) states that in consultation with the Environment Agency, it is considered that the proposals do in effect satisfy the Sequential Test required in the NPPF.

The report recognises that the site is protected from flooding from the River Wye by existing defences along the river bank, comprising a substantial wall of masonry and concrete. The top of the wall typically varies from just below (less than 50mm) to 600mm above the predicted 1 in 100 year plus climate change river level. The report recommends that the flood defence wall should be raised and strengthened as necessary and the Environment Agency have recommended that details of this should be secured by condition.

In addition the FRA suggests general flood mitigation measures including levels across the site to be laid out to provide an opportunity for any localised ponding to collect away from buildings and for excess storm water to be routed without posing a risk of flooding to properties. Again the Environment Agency has recommended that this be secured by condition.

Subject to the attaching of appropriate Environment Agency conditions, it is concluded that the redevelopment would not lead to a net loss in floodplain storage, would not impede water flows, and would not increase flood risk elsewhere. As such, the development is compliant with the National Planning policy Framework and Core Strategy policies CC1 and CC5.

Archaeology and Heritage Assets

The riverside mill, adjacent river bridge and facings to the mill leat are listed grade II and Arkwright's water management system is a Scheduled Monument. Whilst not within the

application site edged red, these assets are in close proximity. The eastern part of the application site, compromising the access and the proposed footpath and passing places, lies within the Bakewell Conservation Area.

Historic England and the Authority's Senior Archaeologist initially raised issue with the proposals because no assessment of how the proposals would affect the significance of designated and non-designated heritage assets was submitted with the application.

In response to these concerns, an Archaeological Heritage Impact Assessment had been submitted which concludes that there are no known below ground archaeological remains within the application site and furthermore that much of the application site area has previously been disturbed due to construction of the current buildings on site. The archaeological potential of the area was therefore assessed as being low.

An above ground Heritage Impact Assessment has also been submitted. This acknowledges that the site does play a role in the wider industrial setting of the RBP. Whilst the C20 sheds and structures within the application site are an appropriate element within an industrial setting they are not contemporaneous with the heritage assets and given their later construction, temporary nature and poor condition, are not considered to positively contribute to the setting or significance of the heritage assets. The HIA concludes that the scheme would deliver public benefit and will not result in a material impact on the significance of heritage assets.

Historic England have been re-consulted following receipt of this additional information and they advise that the impacts of the development should (in line with NPPF paras 132 and 134) be weighed by the Authority on balance of public interests giving great weight to the conservation of the scheduled monument and listed buildings. Through the reduction of impacts and the recording of such remains as may unavoidably be lost, impacts should be mitigated in a manner proportional to the assets' importance. It is possible that material of demonstrable equivalent importance to the scheduled monument (NPPF para 139) may survive and if this is the case they should be treated on parity with the scheduled monument itself. They state that the nineteenth and twentieth century industrial remains on site contribute positively to the significance of the scheduled monument and associated listed building in terms of the on-going (post-fire) industrial uses of the site. They advise that where the Authority is minded to grant consent for demolitions, such structures that are to be lost should be recorded in a manner proportionate to their significance in the setting context of the monument. In this respect the remains associated with the submarine battery works may be of particular interest. In respect of these matters they refer to the advice of the Authority's Senior Archaeologist.

The Authority's Senior Archaeologist has also responded with regard to the submitted Impact Assessments. With regard to the impact on the setting of the Scheduled Ancient Monument she states that both assessments have failed to recognise that despite retaining the industrial use for the site, the proposed development will result in a rearrangement of the industrial units and a loss of significance in relation to the loss of the piecemeal development of the site that reflects the industrial development of the site over time, and how the site has developed since the 18th century. Whilst the change to this setting will result in harm, the retention of the industrial character of the site reduces the level of this harm, and the level of harm does not reach the 'substantial harm' threshold as set out in NPPF Chapter 12. She recommends that should the proposal be considered acceptable in terms of planning balance, the provision of an appropriate level of building recording for the structures that contribute most to the setting of the SAM, particularly the Nissen Hut buildings associated with the development of the DP Battery Company, could help mitigate this impact. This could be achieved by use on an appropriate condition. Officers consider that there are public benefits associated with the scheme including the provision of more flexible, modern industrial units and improvements to the overall appearance of the site that outweigh and 'less than substantial harm' that has been identified.

With regard to the information provided on below ground archaeology the Authority's Senior Archaeologist has responded by stating that there is the potential for below ground archaeological remains of the early water management features associated with Lumford Mill to survive at the site and these features have the potential to be of national importance. The previous development of the site, depending on the nature and depth of any groundworks undertaken, could have damaged, truncated or destroyed these remains, but no information has been submitted that provides an understanding of these previous ground impacts, therefore an approach must be taken that recognises the potential for surviving remains.

Given the level of uncertainty both in relation to the nature and significance of surviving archaeological remains and the impact so the proposed development upon them, the Authority's Senior Archaeologist states that the usual course of action to provide the information required would be to request an archaeological field evaluation takes place, in line with Para. 128 of NPPF. The results of the field evaluation would provide the necessary information on the nature, extent, character and significance of surviving archaeological remains to allow the impact and level of harm of the proposed development upon them to be understood. However, it is appreciated that the nature of the site as one currently in active use by a number of businesses and almost entirely covered by existing building and hard standing areas, to conduct a field evaluation whilst the site is in active use is not practical or possible.

As a result the applicant has, at the request of the Senior Archaeologist, provided a 'Statement of Intent' which establishes that enough flexibility exists in both the scheme itself and in the proposed timetabling, for the developer to work with the Authority, and particular the Senior Conservation Archaeologist, to achieve preservation in situ of remains where required by means of using appropriate foundation design, raising ground levels, reuse of existing concrete pads etc.

The Senior Archaeologist has advised that evaluation trenching is required across the site in areas where former water management and millpond features may survive, particularly in relation to the proposed Units 12 and 15, and not just in the area of the Nissan Huts as the 'Statement of Intent' implies. As the programme of archaeological works needs to be carried out in accordance with a brief issued by the Authority and a Written Scheme of Investigation approved by the Authority details of trench locations can be formally agreed by this process to achieve the coverage required.

Therefore subject to conditions with regard to conditions to secure a programme of archaeological works (including the building recording required) and conservation in situ where required it is considered that the proposals would conserve the significance of heritage assets and their settings in accordance with Core Strategy policy L2 and Local Plan policies LC15 and LC16.

Ecology

Natural England refer to standing advice in respect of the impacts on protected species and the Peak District National Park, assessment of which should be undertaken by the Authority's Ecologist and landscape specialists. Additionally, Natural England consider that the scheme may also provide opportunities to incorporate features into the design, which are beneficial to wildlife.

An Extended Phase 1 Habitat Survey was submitted with the application and a number of buildings within the site were assessed for their potential to support roosting bats. Of the 18 structures identified, 4 were identified as high potential, 3 as moderate, 5 as low and the remainder have no potential. The report recommends further survey at an appropriate time of year.

Three bat activity surveys have been carried out during the course of the application. Preliminary results are that no bats were recorded emerging from or entering the buildings surveyed during any of the surveys. A bat roost was identified in one of the building during surveys carried out in 2015 and although no further evidence was found in the 2016 surveys, gaps in the overhanging boarded eaves are still present and the building is still classed as having 'high potential'. The full survey results and proposed mitigation and enhancement measures are awaited and will be reported verbally, along with any proposed conditions at the committee meeting.

The phase 1 survey also assessed a hybrid willow tree on the site as having potential to support roosting bats. Further inspections have since confirmed that the tree has in fact negligible potential and therefore no further action is recommended in relation to bats and this tree.

Grey Wagtail, a red list species was recorded during the survey and site demolition and tree removal will lead to a loss of suitable nesting habitat. The report recommends that works take place outside of the breeding season (March to September inclusive) unless suitable features are surveyed before works are carried out. This can be required by condition.

It is considered, therefore, that subject to the Authority's ecologist raising no overriding ecological concerns with regards to bats before the committee meeting, that the biodiversity interests would be conserved in accordance with Core Strategy policy L2 and Local Plan policy LC17 subject to appropriate planning conditions.

Site Contamination

A land contamination investigation was carried out in 2011 to inform earlier proposals at Riverside Business Park. An update report has also been submitted with the current application which explains that although the phase 1 report was completed 5 years ago, the site has undergone little change since and therefore the information presented remains valid. The report concludes that there are no overriding concerns that the previous industrial uses on the site would preclude the proposed redevelopment of the site. Officers concur that the remediation of the site is likely to be possible and this has been reflected in consultation responses from the Environment Agency and the District Council Environmental Health Officer, who recommend approval. It is therefore considered that the proposals would meet the requirements of saved local plan policy LC24 in respect of pollution and remediation of contaminated sites subject to a condition that requires the recommendations of the original Phase 1 report be to be fully implemented.

Highway Issues

Currently there are two separate vehicular accesses which serve the Riverside Business Park, one directly off the A6 over a narrow bridge and the other via Holme Road (part unadopted). Both access routes have their deficiencies in terms of their limited width; however, they are existing access routes which have served the site for many years, seemingly in a safe manner given there have been no recorded accidents in the recent years. Consequently, the highway authority considers that there can be no grounds for a highway safety objection on any proposals which, as demonstrated by the submitted Transport Statement, are unlikely to increase the traffic generation associated with the site.

The Highway Authority also advise that whilst it is not envisaged that the proposals would increase the traffic associated with the site, passing places would alleviate vehicular conflicts on the narrow access track so they recommended that they are constructed as proposed.

The Traffic Impact Analysis contained within the Transport Statement is based upon the assumption that there would be a reduction in gross internal floorspace on this site from the 4313 sqm as existing to 3696 sqm as proposed and concludes that as a result the impact on the local highway network would not be material.

In these respects and with regard to the interpretation of LB7 (iii), which requires a new access bridge to building if development results in an increase in existing floorspace on the site, local objectors have questioned the accuracy of the 'demolition' figures. Particular reference is made to two sets of buildings on the application site which, in the view of objectors, should not be included in the 'existing floorspace' calculations.

The first is a 'timber store' building that sits close to the south west boundary of the site. This building was initially approved in 2000, as a 'replacement building' on a temporary basis and then further renewed under a temporary permission that expired in February 2011 (NP/DDD/1205/1207). Condition no. 1 of the approval required the building to be removed after the expiry date. The agent considers that the floorspace of this building should be included in the 'existing floorspace' calculations because, it is argued, there was a building on the site that pre-dated the 2000 permission. Whilst it is unclear what did pre-date the existing building, the building amounts to around 588sqm of floorspace. If that figure is removed from the 'existing floorspace' figure (i.e. 4313 sqm is reduced to 3725 sqm) there would still be, overall, a small decrease in floorspace (to 3696 sqm) as a result of the proposals.

The second range of buildings that are referred to are 3 permissions that were first approved in the 1950s and 60s for the 3 blister hangers, an ablution block and an office block. These permissions were renewed on a series of temporary consents for a period of over 50 years, with the latest consents for all 3 buildings expiring in March 2000. Again as conditions required the buildings to be removed upon expiry of the conditions, objectors consider that they should not be included in the 'existing floorspace'. Officers consider that there are several reasons why the buildings should be included in the calculations.

Firstly, it is likely that the blister hangers pre-dated the 1947 Town and Country Planning Act and therefore may have been lawful at the time of first permission in 1950. Secondly the buildings were all in place then the Local Plan (policy LB7) was adopted and thirdly the rolling temporary consents were granted because the materials of construction were of a temporary nature and in fact the buildings have stood the test of time fairly well. Despite the expiry of the temporary consents there is no desire from the Authority's point of view to enforce the removal of these buildings, which still serve a functional purpose, are still in active use and in the case of the blister hangers are recognised as having some historic significance.

Local residents have also raised the issue of the cumulative impact of the current proposals when taken with the hotel proposals which are currently at appeal. It should be noted that no consent currently exists for the hotel development. If permission is granted for the current proposals then the decision will be material consideration in the determination of the appeal for the hotel development and so the Inspector will take into account this proposal and its impacts on traffic generation together with those associated with the hotel, in deciding whether to allow or dismiss the appeal.

The Highway Authority is satisfied that the level of parking provision is in accordance with current guidance. The applicant has also submitted swept path drawings which illustrates how each HGV parking area can be accessed. Although access to one of the proposed HGV spaces is reliant on the HGV service location opposite to be vacant, the general layout and level of parking and manoeuvring space within the site is acceptable.

The submitted plans showed the construction of three passing places at interval along the access track at Lumford together with a pedestrian footpath located between the land and the river. Whilst there is some benefit in term of alleviating vehicle conflicts along the track, visibility along the track is, in fact relatively good and officers were concerned about the impact of three passing places on the character and appearance of the Conservation Area at this point.

The Authority's Conservation Officer has identified that one of the key characteristics of the Bakewell Conservation Area at its north-western edge is its natural, informal, green, rural character, with the grassy riverbank sloping from the lane down to the millstream making a significant contribution to the landscape. Because of the sloping nature of the land, engineering works would need to be carried to provide level areas, particularly in the central part of the lane where level changes are at their greatest. These works, together with extensive surfacing for passing places and path would erode the green character of the Conservation Area.

Following negotiations, amended plans have been received which show the footpath omitted and the passing places reduced from three to two, one at each end of the track. The geometry of the passing places has also been 'softened' and surfacing has been confirmed as being a 'grasscrete' or similar. As a result, the harm to the significance of the Conservation Area would be much reduced and on balance, is considered to be outweighed by the benefits of the scheme. This conclusion is reached in the light of comments from a number of objectors that the footpath would not be beneficial to them. A condition to require the submission of a scheme for the removal of the passing places should the new A6 access bridge be implemented and brought into use as this would ensure the adequate remediation of the area should the access arrangements change.

It is therefore concluded that the proposals accord with the requirements of Saved Local Plan policy LT18 with regard to the provision of safe access arrangements that would not damage the valued characteristics of the area.

Impact on Amenity

It is considered that the proposed buildings, being set well back into the site and some 130m away from the nearest residential property to the south on the A6, would not give rise to any significant overbearing, overshadowing or overlooking impacts on existing properties sufficient to warrant refusal on these particular residential amenity grounds.

It is acknowledged by all parties that the application site is presently served by two substandard accesses, where the main access is presently via Holme Lane and Lumford. Given that the Holme Lane and Lumford access also serves around 32 residential properties, the impact on the residential amenities of these properties is significant material consideration in the determination of this proposal. Moreover, the traffic impacts of the proposals are clearly the main concern expressed by the Lumford residents in their representations. These concerns are also reflected in the Town Council's representations.

Core Strategy policy GSP3 E states that all development must conform to a number of principles. Amongst these it states that particular attention will be paid to form and intensity of the proposed use or activity and its impact on the living conditions of communities. Local Plan policy LC4 (iv) reinforces this policy and states that particular attention will be paid to the amenity, privacy and security of the development and of nearby properties.

Furthermore, paragraph 17 of the Framework refers to Core land-use planning principles, amongst which is the need to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

The site is currently accessed from the A6 via a narrow stone bridge unsuitable for HGVs, and from the residential road 'Holme Lane', which itself is frequently used for residential parking on its northern side, resulting in significant sections of the lane being of single vehicle width. This makes Holme Lane awkward for use by heavy goods vehicles serving the various businesses operating from the RBP.

The substandard nature of these existing access points, and the existing impacts upon the residential amenities of the Holme Lane and Lumford properties is reflected in policy Local Plan policy LB7, which states that if development results in an increase in existing floorspace on the RBP site, a new bridge is built across the River Wye, and the old bridge is closed to vehicles.

For these reasons, it is considered vital that any adverse impacts upon the residential amenities of the Holme Lane and Lumford residents, generated by the proposed hotel use and associated commercial uses, can be satisfactorily addressed.

The eastern end of Holme Lane serves 6 residential properties and a business premises. At the western end of Holme Lane, the access to the RBP reverts to a single-width tarmacked track, which passes immediately alongside the front gardens of a row of 26 terraced and semi-detached properties at Lumford, whose main vehicular access is also via Holme Lane. The majority of the Lumford properties are mainly single-aspect with their main gardens facing towards the river and the access track to the RBP.

The recent application for a hotel development at RBP was refused on the grounds that it would adversely affect the amenity of the occupants of Holme Lane and Lumford. This decision was taken because it was acknowledged that existing industrial traffic is mainly concentrated to periods of time first thing in the morning and early evening, with much reduced traffic at the weekends, particularly on a Sunday. In contrast a hotel would operate 24 hours a day, seven days a week and therefore the pattern and frequency of traffic usage would be materially different and would give rise to adverse impact through noise disturbance and impact on quiet enjoyment.

In contrast, the current proposals are to retain the same use as at present (B1, B2, B8) in a slightly reduced floorspace. It is acknowledged that if a different business were to occupy the proposed buildings than the existing 'Pinelog' tenant, then there may be some change in traffic patterns along the lane. However a key consideration is that the Authority has no control over the occupiers of the existing buildings and a new tenant, with any associated changes to vehicle movement could take occupancy of those buildings at any time. Whilst the substandard nature of the existing access is fully acknowledged, unlike the hotel proposals, it is not considered overall, within the scope of the proposed 'business uses' that the nature and degree of traffic movements along the lane would be likely intensify or change to such an extent that there would be a material change to the current impacts on residential amenity.

The amended plans show that the access track would be resurfaced and the proposed passing places (as amended) would also provide some improvements to traffic movements, which would provide some benefit of local residents.

In conclusion, on balance it is considered that the proposals meet with the requirements of the NPPF and policies GSP3 and LC4 with regard to impacts on residential amenity.

Other Matters

It is understood that an important consideration for a current application by RBP for grant funding for the new A6 road bridge is that the site has implementable planning permissions in place. As a result, if planning permission were granted for the current proposals it may unlock benefits in the form of grant funding to aid in bringing the bridge forward. This is stated for information only as the current proposals are considered to be acceptable in their own right.

Conclusion

In conclusion the current proposals are compliant with the overarching aims of Saved Local Plan policy LB7 which seeks to secure the comprehensive redevelopment of the Riverside Business Park. Whilst this is a 'stand-alone' application for replacement employment space, approval would not compromise either the delivery of the A6 road bridge or the wider development of the rest of the site. The proposals would provide modern, flexible employment buildings that are fit for purpose and which would enhance the character of the site and the wider area.

Even taking into account the 'temporary timber store' the proposals would not lead to an increase in floorspace on the application site and so the requirement for a new road bridge under policy LB7 is not triggered. The Highway Authority are satisfied that there are no grounds for a highway safety objection and whilst the substandard nature of the existing access and the concerns of local residents are acknowledged, it is not considered that the nature and degree of traffic movements along the access lane would be likely intensify or change to such an extent that there would be a material change to the current impacts on residential amenity.

Material considerations with regard to design and landscaping; archaeology and heritage assets; ecology; flood defence and site contamination can be satisfactorily addressed by means of appropriate conditions.

The proposals therefore accord with the NPPF and all relevant Development Plan policies.

Conditions

In the light of concerns raised by local residents with the regard for potential or noise and disturbance in particular through vehicles movements along Holme Lane and Lumford, consideration has been given with regard to the appropriateness of a condition limiting the operating hours within the proposed buildings. In these respects it is notable that none of the other business premises at RBP have permissions which limit their operating hours and neither have the existing buildings that are occupied by Pinelog. Given that this is the largest industrial/business park in the National Park it is considered that it would be unreasonable to impose more restrictive operating conditions than are currently present, especially given that it has been established that the impact on the amenity of local residents is not likely to be materially different than at present.

It is considered necessary and reasonable to append a condition limiting use of the buildings to B1 (business), B2 (general industrial) and B8 (storage and distribution) only, given the requirements of LB7. It is accepted that a B8 use throughout the site may not be appropriate as storage uses may not provide the same level of employment opportunities as other business/industrial uses. However the agent has pointed out that there is often a requirement for a certain level of storage within any business use and that the applicant does not want the current occupier of the site (Pinelog) to find themselves more restricted in terms of the use of the new buildings than they are at present. The buildings are not considered to be large enough or designed in such a way that encourage a use purely for storage purposes and as such it is considered that a condition that allows for all three 'B' uses is acceptable in order to allow for flexibility within the overall business use.

Certain extensions and alterations to offices and industrial buildings can be made as 'permitted development' under the General Permitted Development Order. Given the potential for increased floorspace to have repercussions for residential amenity it is considered that exceptional circumstances exist that would justify the removal of permitted development rights in this case.

Finally conditions with regard to flood risk, ecology, site contamination, archaeology and landscaping are considered to be necessary and reasonable for the reasons described above.

List of Background Papers (not previously published)

Nil