

**7. FULL APPLICATION: DEMOLITION OF FORMER MILL BUILDINGS, ASSOCIATED STRUCTURES AND OTHER BUILDINGS AND ERECTION OF 72-BED HOTEL DEVELOPMENT INCORPORATING GROUND FLOOR FLOORSPACE WITH FLEXIBILITY TO BE USED FOR CLASS A3 AND CLASS D2 USES, IMPROVEMENTS TO EXISTING SITE ACCESS, PARKING AND LANDSCAPING AND OTHER ASSOCIATED WORKS AT, RIVERSIDE BUSINESS PARK, BUXTON ROAD, BAKEWELL (NP/DDD/0415/0339, P.4822, 421118/369156, 29/04/2015/KW/CF)**

**APPLICANT: RIVERSIDE BUSINESS PARK LIMITED**

**Site and Surroundings**

Riverside Business Park 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). There is also a gym on site (D2 use) and an unauthorised 'cash and carry' (A1 use/sui generis) operating from a recently constructed building at the rear of the site. Thornbridge Brewery and Pinelago also have a substantial presence on the Business Park.

The buildings on the Business Park have been constructed at different times from the late eighteenth century onwards and include three listed buildings, modern stone buildings, modern industrial buildings of a variety of styles and finishes and states of repair and WW II "blister hangers". There are also some notable historic features on the site including a riverside mill, the 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, it is located within the Environment Agency Flood Zone 3.

The eastern part of the site 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. Policy 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 in two ways: from the A6 via a narrow stone bridge which is unsuitable for HGVs, and from Holme Lane, which serves also residential properties on Holme Lane and Lumford. This access is frequently used for parking on its northern side, resulting in significant sections of the lane being of single vehicle width and making it difficult for use by HGVs serving the various businesses operating from the Business Park. 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 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 (as amended) seeks full planning permission for a four-storey, 72-bed hotel, with a nominal entrance on the ground floor and the remainder of the ground floorspace to be used for class A3 (restaurant) and Class D2 (assembly & leisure) uses.

The hotel profile, massing and footprint is based on the original 3-4 storey mill that used to occupy this part of the site and which was destroyed by fire in 1868. Although there is little remaining evidence of the former mill, there is a surviving sectional plan and small sketch drawing showing its four-storey height and massing. The submitted hotel design reflects the character style and massing of the former traditional mill structure, but with some contemporary detailing, particularly in respect of the two four-storey high stair towers, which are located on the rear (west) and north gable elevation (the elevation facing away from the A6).

The hotel design has been the subject of detailed discussions with officers and amended plans have been produced which reflect a more traditional mill building treatment with the walls constructed of natural gritstone under natural blue slate roofs. The hotel building is provided with a double-pile roof and the resultant elevation facing eastwards towards Bakewell town centre is reminiscent of a traditional monolithic mill structure with repetitive window openings arrangements. The rear (west) elevation and north gables are interrupted by the contemporary 4-storey box stair towers, which have a functional appearance. They would be clad with dark grey metal profiled wall and roof cladding to act as a foil to the large expanses of stonework on the main elevations.

The dimensions of the main 4-storey hotel building (as amended) are 48.4m long x 15.1m wide (max. dimension) x 13.2m/15.9m to eaves/ridge. The 4-storey building element is recessed 6.7m back from the original façade of the mill, in order to protect and preserve the above and below ground features of archaeological interest. The ground floor footprint of the building is therefore greater than the 4-storey building element and also incorporates a later flat-roofed building on the east elevation. The ground floor footprint of the building, including the hotel/restaurant/commercial units and former turbine room, extends to around 1423.6m<sup>2</sup>.

The internal floorspace for the building includes the following:

Ground Floor: Hotel Lobby Area (inc. office/lifts/stairs) ~ 125.93m<sup>2</sup>

Hotel Restaurant (Customer floorspace ~ 64 covers) ~ 114.0m<sup>2</sup>

Commercial units 8&9 (combined floorspace) ~ 741.86m<sup>2</sup>

Former Turbine Room ~ 73.81m<sup>2</sup>

First Floor: 24 x en-suite double bedrooms ~ 676.39m<sup>2</sup>

Second Floor: 24 x en-suite double bedrooms ~ 676.39m<sup>2</sup>

Third Floor: 24 x en-suite double bedrooms ~ 676.39m<sup>2</sup>

Car parking for the hotel is initially to be located within the existing car parking areas to the east of the hotel building site, which will provide 64 spaces. A further 25 spaces are to be created immediately to the rear (west) of the proposed hotel building by the removal of a section of the later unused modern industrial buildings.

The vehicular access for the proposed hotel is initially proposed to be via Holme Lane, which is presently the main access to the Riverside Business Park complex. It is intended, however, that on the completion of the new bridge access on to the A6, the majority of the vehicular traffic, except for service vehicles, would use the new bridge access and staying guests would park in the new enlarged car parking area on the western side of the hotel, which is part of the accompanying outline application, as soon as this becomes available for use.

The application is accompanied by a Design and access Statement; Heritage Impact Assessment; Archaeological Assessment; Ecological Survey and Mitigation reports; Planning and Retail Statement; Economic Benefits Assessment; Transport Assessment; Flood Risk Assessment; Phase 1 Site Investigation Report and Statement of Community Involvement.

### **RECOMMENDATION:**

**That the application be REFUSED for the following reasons:**

- 1. The erection of the proposed hotel, together, with the additional restaurant and commercial uses, in advance of the new bridge access on to the A6 being first completed and available for use, would significantly and adversely impact upon the residential amenities of the occupants of the properties along Lumford and Holme Lane. The proposed development would therefore be contrary to Core Strategy policy GSP3 E, Local Plan policy LC4 (iv) and core planning principles set out in paragraph 17 of the Framework.**
- 2. The proposed vehicular access to the hotel is deficient in terms of its width and the hotel proposals would unacceptably intensify this inadequate vehicular access route along Holme Lane and Lumford. These issues cannot be adequately resolved by the conditions suggested by the Highway Authority, and there is insufficient evidence to demonstrate the parallel application for outline planning permission for further redevelopment of the site would achieve a sufficiently viable scheme to fund a new road bridge over the River Wye to the Business Park. Therefore, the hotel would not be provided with a safe and suitable access contrary to saved Local Plan policy LT18 and national planning policies in the Framework.**

### **Key Issues**

- Whether, having regard to local and national policy, the material considerations in this case would amount to the exceptional circumstances necessary to justify major development in the Peak District National Park, with particular reference to: the impact of the out-of-town location of the site, the potential impact of the loss of employment land, and the effect on the character and appearance of the site and surroundings.
- Whether the proposals are likely to be acceptable in planning terms with regard to (i) Flood Risk Issues; (ii) Ecology; (iii) Archaeology and Heritage Assets; (iv) Highway Issues; (v) Site Contamination; (vi) Impact on Amenity of Local Residents; (vii) Environmental Management; (viii) Community Involvement; and (ix) Planning Obligations.

### **Relevant Planning History Relating to the Riverside Business Park Site**

The original 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. The general character and appearance of Riverside Business Park and its setting would benefit from the removal of many of these buildings. 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.

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- 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).
- 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. 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 considered to be 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, but 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 in 2011 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, 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, an unauthorised retail outlet, and Thornbridge Brewery, who also occupy the whole of the second new unit allowed by this permission.

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- 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.
- 2015 Submission of parallel outline application proposing 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.
- 2015 Submission of environmental impact assessment to support the current application for a hotel. An expedited consultation exercise was carried out by the Authority that was used to inform the Authority's formal screening opinion. The responses to this consultation exercise supported the Authority's view that the proposed development was not EIA development. The Authority subsequently confirmed in April 2015 that an EIA was not required.

### **Consultation Responses**

#### **External Consultees**

Civic Society - Bakewell and District Civic Society welcome the prospect of upgrading the site, which is in parts unsightly and substantially under-used but make the following additional comments on the proposals:

- Any retail development included in the proposals should not, in their view, detract from the retail function of the town centre, which should remain the principle focus of shopping in the town although it may complement it.
- A new supermarket on the site, in addition to the Cintride site (Aldi), would probably constitute over-provision and prove detrimental to the town centre's retail functions.
- The riverside site should remain predominantly commercial/industrial in character, as it is the only significant area in Bakewell allocated for this purpose, in the interests of the future economy and employment prospects of the area.
- Ideally, a new bridge into the site from the A6, suitable for heavy vehicles, should be provided before the development commences, as the access from Holme Lane, via Lumford, is substandard.
- Welcome the suggestion of a new, medium-to-large hotel being included in the development on the footprint of the original mill, as something that has long been needed in Bakewell.
- Welcome the suggestion that renewable energy facilities should be incorporated into the developments and suggest that hydro power should be considered, as well as photo-voltaic solar power.
- Would like to see a clear and attractive pedestrian route through the site included in the development proposals, which would form part of a route along the Wye valley linking Bakewell with Ashford.

- Welcome the proposed conservation of elements of historic industrial interest on the site and suggest the inclusion of an interpretation facility to enhance this. This could be linked with the information already provided at the Old House Museum.
- The lake at Lumford had long provided a distinctive and attractive feature of the site but has become overgrown with shrub and lost its identity. It would be good to see this restored, if not as a water feature, which would be preferred, then as an open grassed area.

County Council (Highway Authority) - No objection to the application subject a number of recommended conditions being included in any consent in the interest of highway safety.

County Council (Local Lead Flood Authority) – Raise concerns relating to the potential for surface water run-off and the adequacy of information relating to a sustainable drainage system for the site.

District Council (Environmental Health Officer) – No objections subject to: (i) a pre-commencement condition requiring submission and agreement on a land remediation scheme taking into account the site's previous use for industrial purposes and the risk of contamination being present; (ii) submission and agreement on noise and odour reports and details of external lighting schemes; and (iii) restriction on times of deliveries and waste collection to Monday to Fridays 08:00 to 18:00; and Saturdays 09:00 to 13:00.

Environment Agency – No objections subject to a number of detailed conditions relating to flood risk, flood defence, biodiversity, land remediation, contamination and safeguarding the River Wye. The Environment Agency also comment that a s.106 legal agreement may be required to address the Agency's requirements relating to flood defence.

Historic England – No overriding objections to the amended proposals subject to a pre-commencement condition requiring a scheme of archaeological work in line with paragraph 141 (built heritage and remains of less-than-national importance) and paragraph 132 (remains of national importance) in the National Planning Policy Framework. However, Historic England also suggest the Authority may wish to consider securing the preservation of nationally important archaeological remains through a s.106 legal agreement, rather than a planning condition.

Natural England – No objections subject to an assessment of impacts on protected species and the National Park 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 - Object to the proposal primarily because the application appears contrary to saved Local Plan Policy LB7. The Town Council also raise the following concerns:

- Highway issues; traffic generation vehicle access road safety.
- Noise and disturbance resulting from use including proposed hours of operation.
- Effect on listed buildings and conservation area.
- Ensuring equal access to buildings/sites (e.g. for people with disabilities).
- The applicant requests 'flexibility' within the development mix. It is felt that, if approved, this could result in the establishment of a secondary retail core in Bakewell which may threaten the vitality of the existing town centre. Such flexibility could, for example, lead to the development of 'fast food' outlets that the Town Council believes would be of

detriment to the town.

- The Town Council feels that the construction of the access bridge from the A6 should be the first part of Phase 1.
- Every effort should be made to mitigate any effect on the residents of Holme Lane.
- Access to any hotel development should be solely from the A6 via the new bridge.

However, in a supplementary response, the Town Council states that the proposal for the hotel is welcomed in principle but, both for construction and subsequent occupation; it is not practical for the proposal to go ahead without the bridge.

### **Internal Consultees**

National Park Authority (Conservation Officer) – No objections to the revised proposals.

National Park Authority (Ecologist) – No objections subject to mitigation measures for water vole, small pondweed, bats and birds and a range of enhancement/compensation measures to be incorporated within the new builds and in the renovated buildings on site for bats and birds such as house sparrow, starling, house martin and swifts.

However, the Authority's Ecologist also notes that the proposed works will require the demolition and renovation of a number of buildings. These works could potentially result in the disturbance, injuring or killing of bats and the damage or destruction of roosts and the applicant will need to seek and obtain a European Species Licence prior to any works starting on start.

National Park Authority (Landscape Architect) - No objections in principle to the proposed development but considers that there should be a landscape and visual assessment prepared for the proposals and a better overall landscaping plan produced by the applicant.

### **Representations**

Individual neighbour notifications of the Lumford residents have been undertaken and site notices have been erected. This application also includes a statement of community involvement and says 62 feedback forms were received in response to pre-application consultation with the local community for redevelopment of the Business Park, of which 80% were in support of the current application for the hotel. 90% Of the respondents also considered that the associated new bridge access to be important.

#### Individual Letters of Support

13 individual letters of support have been received. Two of these are from businesses that operate from the Riverside Business Park, one of these being Thornbridge Brewery. These two businesses state that the applications should be supported for the following reasons:

- They will provide funding for a new bridge and relieve traffic along Holme lane to the business park.
- The new bridge will allow Thornbridge Brewery to significantly develop their business and create jobs accordingly. It is understood that a similar situation exists at Pinelog, Bakewell Pudding Shop and others. It is understood that approximately 600 jobs could be protected or created on the Riverside Business Park site.



- A proposed foodstore on the Cintride site, next to Riverside Business Park, would do great damage to the potential to fund the bridge and investment at Riverside as it is unlikely that Bakewell can support two new food stores. This would mean long-term damage to Bakewell, its economy and this part of the Peak District National Park.
- Further development at Riverside could also have significant potential for renewable energy opportunities for the site and the locality.

A petition of support for the hotel proposal signed by 39 employees of Pinelog on the Riverside Business Park site has also been received. This makes the same points as those referred to in the above individual letters of representation.

The other 11 individual letters of support received include the following representations:

- Many visitors come to Bakewell on a day trip, but very few use the town as a base for their stay due to the lack of accommodation it has to offer. The proposed hotel will therefore allow visitors to stay here for longer, which in turn, will increase spending in the town as well as creating new jobs.
- A successful development at the Riverside Business park allowing a proper bridge access and relieving traffic along Holme Lane, can only be good for Bakewell.
- Support the redevelopment of this large run-down Brownfield land that is currently an eyesore on the approach to Bakewell.
- The latest revised elevations for the hotel with the greater area of stonework are an improvement over the original submission.

#### Individual letters of objection

30 individual letters of objection have been received. 17 of these are from Lumford residents and other properties along Holme Lane. These letters raise the following concerns:

- It is essential that a new bridge is built upstream to accommodate construction site vehicles and subsequent customer traffic.
- The hotel application makes no provision for a new bridge to be built before any building starts therefore it would mean a huge increase of traffic down Holme Lane, which is already being damaged due to heavy traffic, and will result in an intolerable nuisance to residents and pedestrians and a safety hazard.
- Holme Lane and Lumford are highly unsuitable for use by commercial traffic. Holme Lane is in effect a one way road in that for most of its length only one vehicle can pass at a time. In relation to heavy goods vehicles of which there is a high level of passage, most have to mount the pavement to get access to Lumford and Riverside. Lumford for its whole length is one way; there is no pavement and residents enter on to the carriageway direct from their garden gates. There are both elderly people and young children living on Holme Lane/Lumford.
- On completion of the hotel and prior to the construction of the bridge, which if completed will take some time, there will be up to 130 car movements over day and night (occupants of up to 65 rooms, in and out) together with the commercial traffic required to sustain the hotel.

- The residents of Bakewell and its many visitors frequently enjoy the walk from the town along the footpath on the A6 then over the old packhorse bridge. Many walkers, cyclists and pedestrians travelling to and from the Monsal Trail make use of the old road passing the historic buildings of Holme hall and Lumford House before joining Holme Lane. Any increase in traffic along Holme Lane would endanger their safety, destroy their enjoyment and could well result in a marked decrease in visitors to the town.
- Traffic to the business park at present tends to be concentrated in the morning between 7am – 9am and late afternoon between 4pm – 6pm; however building a hotel would change this pattern to around the clock.
- The proposed hotel development would be too dominant, will overshadow the surrounding buildings and will be out of keeping with the surrounding area, and the Conservation area. It will reduce local amenities and is likely to have a detrimental impact on long established businesses in the heart of Bakewell.
- The saved Peak park policy LB7 states that if there is an increase of floor space of Lumford Mill Business Park that a bridge must be built, however this application is not dependant on a bridge being built and the developers have publicly stated that no bridge will be built unless the hotel proposal and the development in the accompanying application completed.
- Friends and family of one of the residents regularly visit and stay in local B&B's. They never had a problem with availability which suggests that Bakewell already has more than enough places to stay. A new hotel chain would damage local business.
- The new bridge will never be built while ever the developer considers that the Holme Lane/Lumford access is an option.
- Premier Inns have a very high turnover of visitors and also have a fully licensed restaurant and bar, which would attract even more visitors who may not be staying at the hotel.
- The accompanying Transport Assessment and Design and Access Statements do not demonstrate how safe segregation of vehicles and pedestrians will be achieved along the access road, within the space available along Lumford.
- A number of vehicle passing places are indicated, but these only cater for car traffic heading west and appear to be of an unsuitable size to accommodate the delivery vehicles indicated in the application details and the type of goods vehicles that currently use the access road. To address these issues would have a detrimental effect on the river bank, both aesthetically and in ecological terms.
- The existing works car park used by workers and visitors accessing the site is unoccupied every night, Saturday and Sunday. Part of this car park is to be used for hotel servicing use. If this is made available at night, it would need to be provided with adequate lighting, which would be a new and serious intrusion for the bedrooms of the New Lumford houses, which overlook the car park.

Letters of strong objection have also been submitted from the Lumford and Holme Lane Residents Association. These letters reiterate many of the points made in the individual letters of objection, but also make the following points:

- This site is now the single best industrial employment space in Bakewell. The primary issue, and an issue now close to 30+ years old, is one of deficient accessibility. The

hotel scheme offers no solutions to the access problems it only offers to exacerbate them. Furthermore, it is another step in the gradual erosion of industrial employment space to other users, but still with no bridge.

- The existing access along Lumford is 3.5m wide with no separate pavement, and well below the minimum highway standards for residential (5.5m) and industrial (7.3m). The proposed passing bays increase the width to 5.25m at limited points, still below residential and well below normal industrial standards. The passing of a lorry and car in the vicinity of the passing places would be tight. Residents are therefore concerned that the increase in traffic created by the hotel would lead to a further increase in disruption and an increased chance of personal injury.
- The saved Local Plan policy LB7 states that redevelopment predominantly for B1 and B2 uses should be considered. C1, A3 and D1 uses do not tick this box. LB7 also states that the Listed Mill and Scheduled Ancient Monument are safeguarded. Turning the car park next to the monument wall doesn't seem to safeguard anything, just increases the chance of damage. The key issue in relation to policy LB7, acceptable minor uses, i.e. tourist accommodation by conversion of the existing listed mill building. The proposed hotel site is not the listed mill building. The proposed structure has no listing and the hotel's proposed location here seems totally contrary to the policy objectives explicitly laid out in policy LB7.
- There is a substantial provision of accommodation already available in the town centre and wider ward of Bakewell. Consequently, the requirement for a 69-bed hotel has not been justified by the applicant. There is not an unlimited supply of people requiring rooms. Therefore, it seems reasonable that a large proportion of the occupancy would be taken from current providers (particularly at low season). This would substantially impact the viability of existing businesses which have locally established supply chain. There is no commitment for the Premier Inn to buy local.
- Given the potential impact on long established town centre accommodation providers and due to the site's out of centre location, surely an impact assessment should be conducted to measure the potential effects of such developments. The NPPF "Ensuring the vitality of Town Centres" states that developments greater than 2500m<sup>2</sup> should trigger an impact assessment under section 26 of the NPPF. The proposed development is circa 3400m<sup>2</sup>, however, there is no evidence that an impact assessment on accommodation provision has been carried out.
- In respect of the Authority's policy objective for new hotel accommodation in Bakewell (Core Strategy policy RT3 C), this is based on evidence in the Derbyshire & The Peak District Hotel Demand Survey undertaken by Bridge Baker Consulting 2007. This report states that current provision is broadly adequate, but existing providers have some lean months of the year. It also indicates a desire for accommodation that is located in rural areas of a small scale with a personal touch. A large chain hotel does not seem to hit many of these points. Whilst it could be accepted that new accommodation should be provided, detailed consideration of its type, target demographic and location, and what it adds to the Peak Park should be considered.
- The proposal claims a net increase in jobs. Without an impact assessment this cannot be substantiated and if the hotel's success is based on putting other businesses out of business, there may not be a net increase in jobs, and possibly a net loss.
- A number of the smaller businesses on the Riverside site have already been given notice to vacate the site. This is contrary to the explicit wish expressed by the Authority's committee when considering previous proposals at Riverside in relation to

what they would like to see in regard to the regeneration of the site.

- No reference to signage for the proposed hotel is made in the application. It is likely that two signs would be required, which would be damaging to the view across open space to the Water Meadow.
- With the submitted demolition plans for the hotel, the applicant is claiming that space has already been taken out of use as a result of the 2005 Pinelog/Thornbridge Brewery approvals. These previous demolitions as part of the 2005 approval amount to 729m<sup>2</sup>. The area offered for demolition for the hotel application is 2582.58m<sup>2</sup>. However, if the area already taken out of use via the 2005 approval the new demolition area reduces to 1852.83m<sup>2</sup>. The floorspace created by the hotel proposal amounts to 3,517.31m<sup>2</sup>. On this basis, this significant disparity in new floorspace created against the amount of buildings to be demolished should trigger the erection of the bridge under the provisions laid out in Local Plan policy LB7.

The remaining individual letters of objection include 6 from other Bakewell residents and make the same points as those referred to by the residents along Holme Lane and Lumford, noted above. The remaining letter of objection is from a charitable organisation concerned that they will be forced out of their existing offices unless they can find alternative low-rent accommodation close-by they may be forced to leave Bakewell entirely. Another concern raised is the risk of flooding as the site lies so close to the River Wye.

### **Relevant Policy Context**

#### **Major Development in a National Park**

The current proposals are considered to comprise ‘major development’ because the current application seeks permission for commercial buildings with a floor area of significantly more than 1,000 m<sup>2</sup> as well as the complexity of the planning considerations in this case and the significant public interest in the re-development of Riverside Business Park and the provision of a new road bridge to the site. GSP1(D) in the Authority’s Core Strategy says in securing National Park purposes major development should not take place within the Peak District National Park. Major development will only be permitted following rigorous consideration of the criteria in national policy.

National policy at paragraph 116 of the National Planning Policy Framework (‘the Framework’) says planning permission should be refused for major developments in National Parks except in exceptional circumstances and where it can be demonstrated they are in the public interest. Consideration of such applications should include an assessment of:

- the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
- the cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way; and
- any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

These tests and the provisions of Paragraph 116 are supported by the provisions of the preceding paragraph, Paragraph 115 of the Framework, which states that great weight should be given to conserving landscape and scenic beauty in National Parks, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are also important considerations in a National Park. Paragraph 14 of the

Framework also cross refers to the English national parks and the broads: UK government vision and circular 2010 which provides further policy guidance on development in National Parks.

### Site Specific Policy

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. if development results in an increase in existing floorspace on the site, a new access bridge is built across the River Wye, and the old bridge is closed to vehicles, a new access bridge is built across the River Wye, and the old bridge is closed to vehicles.

LB7(b) goes on to say acceptable uses on minor parts of the site may include affordable housing to meet a local need (close to existing houses), and general market housing or tourist accommodation by conversion of the existing listed mill building. This approach is carried forward in the emerging Development Plan Document, which states the Riverside Business Park is an example of where premises could be improved and policy would allow for a mix of uses provided a significant element of business use is retained.

LB7 is supported by Policy E1 (D) of the Core Strategy, which seeks to safeguard existing buildings, land and premises in employment uses particularly where these are high quality and in a suitable location. E1(D) goes on to say where the location, premises, activities or operations of an employment site are considered by the Authority to no longer be appropriate, opportunities for enhancement will be sought, which may include redevelopment to provide affordable housing or community uses. This approach is consistent with national policies in the Framework, which seek to promote economic growth in rural areas in order to create jobs and prosperity but support the re-use of employment sites where they are no longer required.

### Hotel Proposals

Policy RT2 states that new-build holiday accommodation will not be permitted, except for a new hotel in Bakewell. The explanatory text states that this policy responds to evidence showing a lack of serviced accommodation, by giving the opportunity to build a new hotel in Bakewell, selected because of its accessibility and important market town role. This policy will be taken forward in the emerging Development Plan Document. However, as noted above, policy LB7 suggests that tourist accommodation could be provided at Riverside Business Park by conversion of the existing listed mill building whilst RT2 does not provide any further guidance on where a new hotel should be located in Bakewell.

In these respects, Policy DS1(F) of the Core Strategy policy outlines the spatial strategy for Bakewell, which includes protection of the range and integrity of Bakewell's Central Shopping Area, safeguarding employment sites and promotes the take-up and enhancement of under-used employment sites. Accordingly, Policy HC5 (A) seeks to direct the location of new town centre uses including retail development to the Bakewell Central Shopping Area and this type of development should be of an appropriate scale to serve the needs of the local community and the settlement's visitor capacity. HC5 (B) states that significant out of centre retail development

will not be permitted.

HC5 is relevant to the application insofar as the current proposals and the parallel application for a mixed use development with a large amount of floor area potentially in town centre uses when taken together could result in the creation of a quasi-town centre environment at Riverside Business Park. The concern that Riverside would become an alternative visitor destination would be reinforced by the hotel proposed in this application and the nearby Aldi store commitment, which adds to the sense of competition that the development proposals at Riverside could pose to Bakewell town centre if both this application and the parallel application were granted planning permission.

National policy applying to proposals involving town centre uses is set out at paragraphs 23-27 of the Framework. Paragraph 24 confirms that local authorities should apply a 'sequential test' to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. Paragraph 26 refers to impact assessments for particular types of out-of-centre retail development and where an application fails to satisfy the sequential test or is likely to have significant adverse impact on the vitality and viability of a town centre, it should be refused.

### Wider Policy Context

Policy GSP2 of the Core Strategy builds upon the provisions of GSP1 in respects of major development in the National Park. Policy GSP1 says where a proposal for major development can demonstrate a significant net benefit; every effort to mitigate potential localised harm and compensate for any residual harm would be expected to be secured. GSP2 says opportunities should be taken to enhance the valued characteristics of the National Park and specific opportunities should be taken to remove undesirable features or buildings.

Policy L1 of the Core Strategy relates directly to enhancement of landscape character, and cross refers to the Authority's Landscape Strategy and Action Plan. Policy L3 of the Core Strategy sets out specific criteria relating to the conservation and enhancement of features of archaeological, architectural, artistic or historic significance. Saved Local

Policy GSP3 of the Core Strategy refers to development management principles and 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.

Other relevant policies in the Core Strategy include policy CC1 relating to environmental management measures, CC5 relating 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.

Other saved Local Plan policies that are relevant to the current proposals include policies LC16, LC17 and LC18, which 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. Saved Local Plan 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.

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. 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 Framework has also been considered and it is concluded that they are consistent because the Framework promotes sustainable development sensitive to the locally distinctive character of its setting and places great weight on the conservation of the scenic beauty of the National Park, its wildlife, and its heritage assets

## **Assessment**

### **Principle of Development**

The proposals are considered to be major development within the scope of Paragraph 116 of the Framework not only in terms of the total floor area of the proposed hotel and class A3 (restaurant) and Class D2 (assembly & leisure) uses but also in terms of the potential departure from Development Plan policies. In this case, the out of town location proposed for the proposed development means that the proposals have the potential to impact on the vitality and viability of Bakewell town centre, contrary to the strategic provisions of the Development Plan.

Bakewell is the largest settlement in the National Park and acts as an important service centre for a wide rural area. It serves the needs of its residents and those living in outlying areas, and also the needs of tourists and visitors to the town and the wider National Park. Core Strategy policies DS1 and HC5 aim to safeguard and secure its viability and vitality. The current proposals and the parallel application seeking outline planning permission for a mixed use development with a large amount of floor area potentially in town centre uses - when taken together - could result in the creation of a quasi-town centre environment at Riverside Business Park. The concern that Riverside would become an alternative visitor destination would be reinforced by the hotel proposed in this application and the nearby Aldi store commitment, which adds to the sense of competition that the development proposals at Riverside could pose to Bakewell town centre if both were granted planning permission.

Equally, the development proposals would have a substantial impact on the character of the Business Park but the proposals do not comply with the specific provisions of saved Local Plan policy LB7(a), which says comprehensive redevelopment, predominantly for industrial/business use (Use Classes B1 and B2) will be permitted on some 5 hectares at Riverside Business Park. In this case, the applicant considers these proposals to be a 'stand-alone' development that would be part of the re-development of the site but would not be enabling development to help fund the new bridge, for example.

In the applicant's view, the hotel proposals should not be considered as part of the concurrent proposal for the comprehensive redevelopment of the site adjoining the proposed hotel site but in planning terms; officers do consider the two proposals are clearly related to each other, likely to give rise to cumulative impacts and form a 'piecemeal' approach to comprehensive redevelopment of the Business Park. Notwithstanding these points, the current proposals are clearly not predominantly for industrial/business use (Use Classes B1 and B2) as required by LB7(a).

Furthermore, LB7(b) says acceptable uses on minor parts of the site may include affordable housing to meet a local need (close to existing houses) and general market housing or tourist accommodation by conversion of the existing listed mill building. The proposals in the current application would not be on a minor part of the site and would not include the conversion of the existing mill building. Consequently, the current application proposes a departure from the site specific saved Local Plan policy LB7 and the nature of these proposals in an out of centre location raise substantive planning issues that warrant the Authority treating these proposals as "major development" in the terms of Core Strategy policy GSP1 and paragraph 116 of the

## Framework.

Both policy GSP1 and paragraph 116 state that in securing National Park purposes major development should not take place within the National Park other than in exceptional circumstances and where it can be demonstrated that they are in the public interest. However, whilst there is a presumption against major development in the National Park, the Framework and policy GSP1 state that it might be permitted exceptionally following rigorous consideration of a number of tests which seek to assess the need for the development, the cost of and scope for developing elsewhere and any detrimental effect of the environment and the landscape. These tests are examined as part of the analysis of this application that follows below.

### Exceptional Circumstances

In this case, the applicant considers these proposals should be dealt with on their individual planning merits but it is considered difficult to afford substantial weight to the contribution these proposals would make to the longer-term comprehensive re-development of the Business Park as a 'stand-alone' development. However, policies in the Development Plan support the provision of a new hotel in Bakewell, which in turn would provide wider public benefits including generating local employment opportunities, attracting more visitors to the town, and supporting the local economy. In these respects, there is evidence of need for the proposed hotel and whilst there is no requirement in the Framework for applicants to demonstrate 'need' in relation to hotel developments, as noted above an assessment of need is one of tests identified in Framework in the consideration of 'major' development.

However, the exceptional circumstances that might justify approval of the current application are that there is no other sequentially preferable site that is currently available in the town that would accommodate a hotel of this size in Bakewell. Primarily, officers consider that the tight-grained and historic character of Bakewell town centre and other constraints, including flood risk, means there are few sites with the potential for development of this nature within Bakewell's Development Boundary as defined by policy LB1. The former Cintride site was another possible location for a large hotel, but this site now has permission for the erection of an Aldi foodstore.

The availability of the site for a 72-bed hotel for a named operator is an important consideration because the applicant considers the hotel will create approximately 30 year-round jobs and provide an estimated £700,000 uplift in visitor expenditure annually. Furthermore, the estimated total construction costs of £6.2 million imply that the development would be expected to create the equivalent of 68 person-years of construction work over the proposed one-year build programme. Therefore, granting planning permission for the proposed development would result in clear and quantifiable socio-economic benefits for the local area providing the development would not have a significant adverse impact on the vitality and viability of the town centre.

### Impact upon the Town Centre

In the first instance, the Framework does not explicitly require the submission of an impact assessment in relation to hotel developments outside of a town centre because a hotel is not considered a main town centre use in terms of national planning policies. Although the Authority could request this type of assessment, officers do not consider this is necessary given the support in policy for serviced accommodation in Bakewell, which would provide a visitor offer that is clearly distinct from bed and breakfast / guest house accommodation. Officers also consider that a hotel on Riverside would not in itself take trade from the Central Shopping Area or detract from any other of the main town centre uses in Bakewell other than it would provide competition for the Rutland Hotel.



Therefore, officers main concerns in terms of the potential impact of the proposals on Bakewell's town centre are more related to how the current proposals and the parallel application for a mixed use development with a large amount of floor area potentially in town centre uses when taken together could result in the creation of a quasi-town centre environment at Riverside Business Park. The concern that Riverside would become an alternative visitor destination would be reinforced by the hotel proposed in this application and the nearby Aldi store commitment, which adds to the sense of competition that the development proposals at Riverside could pose to Bakewell town centre if both this application and the parallel application were granted planning permission.

However, as this application does 'stand-alone' and it is therefore required to be determined on its individual merits, it is considered that the socio-economic benefits for the local area that would be achieved by an approval for the current application would offset and outweigh the potential departure from LB7. This is especially the case because there are no other available sites in Bakewell for a hotel of the capacity proposed and the need for additional serviced accommodation has been clearly established in the Core Strategy. Therefore, it is considered exceptional circumstances do exist that would warrant approval of the current application providing the proposals are acceptable in planning terms in all other respects.

### Impact on Site and Surroundings

The effect of the development on the character and appearance of the site and surroundings is a key policy test for major development in a National Park. This is also an important assessment in terms of the sensitive nature of the site and the presence of ancient monument in particular. In landscape terms, Riverside Business Park is well screened by trees and man-made features but the existing, modern factory buildings to the rear of the remaining single-storey façade of the original mill building detract from the character and appearance of the site and its landscape setting. Whilst the hotel site lies just beyond the conservation area boundary, the land immediately to the south encompassing the River Wye and the Mill Stream, together with the listed mill workshop building and the existing road bridge are within the Conservation Area. The hotel site is also immediately adjacent to the Ancient Monument site. As a matter of law, the Authority must pay special regard and apply great weight to matters concerning these designated heritage assets.

A detailed Design and Access Statement (DAS) accompanies the application and detailed discussions have taken place involving the applicant's agent, the Authority's Conservation Architect and Archaeologist, and Historic England. The DAS states that the scheme seeks to retain the significant heritage assets of Lumford Mill workshop, the Scheduled Monument of the mill race, the Gas Retort House, two chimneys, Turbine Room and the single storey façade of the Mule Spinning Shed, which although not listed in its own right provides a setting and frontage to the Bakewell Conservation Area. The proposed four storey hotel is set 6.7m back from the retained façade and is sited on the footprint of the previous Lumford Mill, which was four storeys in height and directly abutted the mill race. The proposed hotel assumes a similar mass and building line, addressing the setting of the Conservation Area and Holme Lane, whilst providing a visual buffer to the proposed retail, restaurant and industrial units (existing and proposed) on the Riverside Business Park.

Notably, the original design concept proposed a four-storey building reflecting the form and mass of the original mill building, but with contemporary design features to minimise the overall height of the building. These included projecting full-length glazed/timber-clad gables at each end of the frontage elevation, 'wrap round' eaves rooflights and the upper section clad in dark grey metal sheeting to visually lower the apparent eaves height of the building. Whilst the overall design concept for the building was considered to be acceptable, these contemporary design features were considered to be inappropriate for this traditional mill setting.

Following design discussions, an amended scheme was submitted, which omitted the projecting gables and the upper tier of metal sheeting. The walls of the building would now be constructed entirely of natural coursed gritstone. The overall eaves/ridge height of the building has been increased by 0.9m in order to omit the 'wrap-round' rooflights and also to satisfy the Environment Agency's requirements in respect of flood risk issues. Glazing bars have also been introduced into each individual window frame to reflect the industrial window frame pattern on the listed mill workshop building and to provide some interest to the window frame details.

The overall design/form and massing now reflects that of a four storey monolithic mill structure, which is set back from the original mill façade in order to protect its integrity and preserve any surviving below-ground archaeological features of interest. The building is significantly higher than the adjacent listed riverside workshop building, but this reflects the setting and relationship between the two buildings prior to the demise of the main mill building in 1868.

In landscape impact terms, whilst the hotel building will be visible from the vicinity of the old packhorse bridge, its impact would be mitigated by intervening mature tree cover. The hotel building would also be visible from the footpath alongside the A6 in the vicinity of the existing bridge. The rear of the hotel would also be visible from the A6 to south in the vicinity of the proposed new access bridge and the Aldi site. From these viewpoints, the building would be seen in relation to the existing listed workshop, the raised embankment of the Ancient Monument site, and the two tall chimneys, which are to be retained as part of the proposal. Whilst the hotel building would clearly be visible from these vantage points, it is considered that its design, form and appearance would be sympathetic to the industrial character of the Riverside site and the adjacent designated heritage assets.

Therefore, officers consider the hotel application meets the third test in national policy on major development in the National Park because it would not have an adverse impact on the character and appearance of the site and its setting. In terms of the above ground impacts, the revised proposals would also respect the significance of the Ancient Monument, would not harm the setting of the designated Conservation Area or the nearby Grade II listed building and would conserve the above ground non-designated heritage assets on site.

### **Other Material Considerations**

#### **Flood Risk**

The site is located within the Environment Agency Flood Zone 3. Hotel use is classed as a 'More vulnerable' use in terms of the Environment Agency's classifications, which is compatible with Flood Zone 3a and therefore there is a requirement for the sequential and exceptions tests to be applied in this case.

In respect of the Sequential Test, it is material that the proposed development is part of wider proposals at Riverside Business Park, and saved policy LB7 allows for comprehensive redevelopment of the site. Furthermore, there are no guestrooms proposed on the ground floor of the hotel, and it is notable that flood risk was not a major factor in the determination of previous applications which involved residential uses in the 'more vulnerable' category. The application is accompanied by a detailed flood risk assessment.

Subsequent detailed discussions with the Environment Agency has resolved the Agency's original objections to the scheme and subject to appropriate conditions, it is concluded that the redevelopment will not lead to a net loss in floodplain storage, will not impede water flows, and will not increase flood risk elsewhere. As such, the development is compliant with the Framework and Core Strategy policies CC1 and CC5.

### 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.

The Authority's Ecologist comments that the water vole surveys confirm the presence of the species long the Mill Stream and indicate the likely presence on the River Wye. The Environment Agency recommend that a condition is added in relation to water vole mitigation works and a method statement; this is supported by the Authority's ecologist

Small pondweed (*Potamogeton berchtoldii*) a county rare plant, previously listed in the red data plant list for Derbyshire 2002, is known to occur within the site. The plant is located in three water tanks which are to be lost to the development. The applicant proposes mitigation works (the creation of a pond to the north of the working area and subsequent translocation of the plants). The proposed pond creation works are subject to further detailed ground works and confirmation of the site location suitability. The mitigation works are acceptable in principle subject to approval of the final design and location details. It is recommended that a condition securing the mitigation works is added to any planning permission.

As noted in the consultation section, a survey carried out on behalf of the applicant states that a total of nine confirmed and two possible bat roosts were recorded within the site during the surveys. It is likely that bats may use a number of buildings for roosting on a regular basis across the site. The proposed works will require the demolition and renovation of a number of buildings. These works could potentially result in the disturbance, injuring or killing of bats and the damage or destruction of roosts. It is recommended that a condition requiring the submission and approval of an approved mitigation/method statement and details of an EPS issued by Natural England should be added to any planning permission. Details should also be provided of any scheme of proposed lighting for the site.

The agent has confirmed that the suggested ecological mitigation and enhancement conditions are acceptable (see above in consultation section), but point out that it will not be practically possible to maintain the proposed 8m buffer zone for water voles along the river bank during the construction of the proposed new river bridge.

It is considered, therefore, that there are no overriding ecological concerns that the proposals would not be capable of being mitigated for. Consequently, it is considered that the biodiversity interests would be conserved in accordance with Core Strategy policy L2 and Local Plan policy LC17 subject to appropriate planning conditions.

### Archaeology and Heritage Assets

The riverside mill, adjacent river bridge and facings to the mill leat are listed grade II. Arkwright's water management system is a Scheduled Monument. The eastern part of the site lies within the Conservation Area. A detailed heritage impact assessment has been submitted with this application, which is particularly important given that Historic England have advised that the heritage issues at the site are complex and the Authority will need to properly understand the significance of the site and its elements and their potential for re-use, the impact of proposals and the need to set any new structures within a detailed design framework which 'speaks' to the significance of the site.

The impacts on the 'above ground' on-site archaeological and heritage assets have been discussed in detail in the preceding Impact on Site and Surroundings section of this report

However, there were concerns that the construction phase of the development would reveal further archaeological interest that could be lost or harmed if the development were to go ahead as proposed. The applicant has subsequently confirmed that it is not possible to carry out further archaeological evaluation until the buildings have been demolished.

The applicant's archaeological consultant has also confirmed that he would be willing to employ flexibility and incorporate design amendments post-determination as are necessary to ensure the preservation in situ of any archaeological remains, specifically the water management system, that are deemed to be of national significance following the investigative trial trenching. The Authority's Archaeologist and Historic England consider that these assurances address their previously stated concerns with regard to nationally important archaeological remains, and that archaeological issues can be addressed by conditions in line with paragraphs 141 and 132 of the Framework.

It is therefore considered that the subject to the attaching of appropriate conditions, the proposed scheme would amount to less than substantial harm to the designated and non-designated heritage assets on site and any harm that would arise would be outweighed by the socio-economic benefits that would be achieved by granting planning permission for the hotel, as set out above in preceding sections of this report.

### 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 Lane (part unadopted). Both access routes have their deficiencies in terms of their limited width, with no footpath on the section in front of the Lumford properties, but 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 are unlikely to increase the traffic generation associated with the site.

This proposal is to demolish an existing mill building and erect a 72 bed hotel with a restaurant/bar and flexible ground floor space to be available for use as A3 or D2 use. Whilst the proposal has the potential to increase the traffic generation associated with this particular building alone, taking into account that the entire business park is currently served via the A6 or Holme Lane accesses, the Highway Authority considers it is unlikely to significantly increase the overall traffic generation associated with these two accesses.

Whilst this application is a separate application to the concurrent outline masterplan application to redevelop the entire business park, Section 7 of the submitted Design and Access Statement for the hotel application says the proposal is for all visitor traffic associated with the hotel use to use the permitted new bridge access to the A6 once it has been built, and the Holme Lane access retained only for emergency access, service and delivery vehicles associated with the hotel use, the existing tenants of the Lumford Mill Workshop and the existing residential properties. Consequently the Highway Authority considers that, in the long term, traffic on Holme Lane and traffic using the existing A6 access is likely to be considerably less than the existing/permitted scenario.

The Highway Authority does not consider that there is evidence to suggest that the development would have a significant adverse effect on capacity or safety of the local road network. Moreover, the Highway Authority considers that there is no data that would support a reason for refusal of planning permission on the basis that the development would result in severe harm on the highway network, with reference to paragraph 32 of the National Planning Policy Framework.

Whilst the Highway Authority is satisfied that there is sufficient car parking provision to cater for the existing uses and the proposed hotel use, they require further clarification in respect of the extent of the existing uses on the site and their current car parking arrangements, in order to be fully satisfied that the increase in car parking generated by the hotel and other uses will be accommodated within the site without impacting upon the surrounding area. The applicant's agents intend to provide information on the current car parking situation, which should be available in time for the committee meeting. Even so, the Highway Authority has no overriding objections to the proposals subject to a number of conditions, including:

- (i) The proposed restaurant/bar area shall be ancillary to the proposed hotel and not be open to the general public.
- (ii) Once the new, already permitted, vehicular access onto the A6 has been constructed, all hotel traffic shall access the site via this access in accordance with the submitted details, with only the hotel service and delivery traffic using Holme Lane.

However, it is considered that the first condition is unreasonable and unenforceable and the second condition is not reasonably related to the development proposals in the current application, which is considered by the applicant to be a 'stand-alone' proposal with appropriate vehicular access from Holme Lane and along Lumford. The second condition is also imprecise insofar as there is no guarantee the new road bridge would be provided at Riverside and no certainty when this might happen. These conditions were recommended by the Highway Authority in the interest of highway safety taking into account it is acknowledged in their full response that Holme Lane and Lumford is a deficient vehicular access. Officers consider that these conditions would not be capable of making the proposed development acceptable in planning terms because they do not meet the six tests in Planning Practice Guidance and therefore should not be imposed on any approval for the current application.

Officers also disagree with the Highway Authority's stance in respect to equivalent traffic usage through the loss of the existing industrial building noting that much of the buildings proposed for demolition are vacant and the additional floorspace created a 72 bed hotel, together with the proposed A3 and D2 uses that would generate visits from non-residents, is likely to generate significant additional vehicle movements, although it is acknowledged that these would primarily be cars rather than the heavier goods vehicles associated with industrial uses.

Nonetheless, the additional traffic movements and their frequency on a daily basis give rise to greater concerns that the hotel would create more potential for conflicts between domestic vehicles and large vehicles servicing the existing premises on the Business Park, and by construction phase traffic for the redevelopment proposals in this application if planning permission is granted for both this application and the re-development proposals based on the phasing of the development sought by the applicant. Furthermore, an independent appraisal carried out on behalf of the Authority concludes that there is insufficient evidence to demonstrate the parallel proposals for redevelopment of the site would achieve a sufficiently viable scheme to fund a new road bridge over the River Wye to the site.

It is therefore concluded that the deficiencies in the access to the hotel cannot be adequately resolved by the conditions suggested by the Highway Authority, the hotel proposals would unacceptably intensify an inadequate vehicular access route along Holme Lane and Lumford and there is insufficient evidence to demonstrate the parallel application for outline planning permission for further redevelopment of the site would achieve a sufficiently viable scheme to fund a new road bridge over the River Wye to the Business Park. Consequently, the hotel would not be provided with a safe and suitable access contrary to saved Local Plan policy LT18 and national planning policies in the Framework.

Furthermore, it is considered the use of Holme Lane and Lumford as the vehicular access for the hotel would have a substantial and harmful impact on the residential amenities of the properties on Lumford and Holme Lane contrary to policy GSP3 and LC4 and core planning principles in the Framework.

#### Impact on Amenity

Whilst the proposed hotel building would be a substantial four storey building, it is considered that by virtue of its position, being well set back from the original mill façade, and the fairly acute angle with the nearest residential properties on Lumford (around 56m to the north-east), there will be no significant overbearing, overshadowing or overlooking impacts on these properties sufficient to warrant refusal on these specific residential amenity grounds.

However, as explained above, this is a proposal for a hotel development on a site where it is acknowledged by all parties that it 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 a significant material consideration. Moreover, the traffic impacts of the proposed hotel use are clearly the main concern expressed by the Lumford residents in their representations. These concerns are also reflected in the Town Council's representations which state that every effort should be made to mitigate any effect on the residents of Holme Lane and access to any hotel development should be solely from the A6 via the new bridge.

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 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.

Furthermore, when approving the new industrial buildings at the western end of the site in 2005, a planning condition was attached requiring the demolition of an equivalent square metreage of industrial floorspace in order to maintain the status quo and so as not to further exacerbate any adverse amenity impacts on the residents who live next to the access road. These adverse impacts are also acknowledged in the hotel submission as it is intended that when the proposed new river bridge is constructed the majority of the hotel traffic will use the new bridge. For these reasons, it is considered essential that any adverse impacts on 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 former stone yard. 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 access track is of single vehicle width with no defined footpaths. There is no real prospect of a separate footpath being provided, and whilst three passing places are to be installed along the track officers are not satisfied these passing places would be sufficient to avoid disruption to nearby residents and facilitate the safe and efficient movement of vehicles along Holme Lane and Lumford. Consequently, it is considered that the increased frequency of vehicles along the track (both heavy goods vehicles servicing the hotel and hotel guests' cars) would have an unacceptable adverse impact upon the residential amenities of the occupants of Holme Lane and Lumford.

Whilst it is acknowledged that the residential amenities of these properties is already affected by the existing industrial traffic using the Holme Lane/Lumford access, this is mainly concentrated to periods of time, particularly first thing in the morning and early evening, with much reduced traffic at the weekends, particularly on a Sunday. Given that this is substantial 72-bed hotel with an expected 80% occupancy rate at peak times, which will operate 24 hours a day and at weekends, it is considered that the increased frequency and periods of traffic usage along Holme Lane and Lumford would give rise to an adverse impact on the residential amenities of the occupants of these properties through increased noise disturbance and impact upon their quiet enjoyment at times when the industrial users are not operating.

The applicant maintains that the hotel development needs to be constructed first and it is not practical to construct the proposed new river bridge in advance of the construction of the hotel. The application is accompanied by a Draft Framework Construction Management Plan, which is designed to minimise disruption to residents during the envisaged 1 year construction period. Whilst the proposed new bridge access, if and when it is built, would to be used by the hotel guests, thereby ameliorating the adverse impacts of the existing access via Holme Lane, this does not form part of the current application. It is therefore considered that as this option cannot be guaranteed or would not in any case be available prior to the hotel and associated uses being brought into use, the current application should be refused on residential amenity grounds.

Given that all other issues relating to this proposal have been satisfactorily resolved, officers have carefully considered whether it would be appropriate to recommend approval subject to the attaching of a "Grampian" style negatively worded condition requiring that the new access bridge be built and brought into use prior to the commencement of the hotel development. This could resolve the residential amenity issues raised by the current proposal. However, it is considered that the imposition of such a condition is unreasonable in a situation where there is no imminent prospect of a scheme that will enable the construction of the new bridge and the applicant has clearly stated that this is not acceptable. Moreover, given the officer recommendation of refusal on the accompanying outline application (the preceding item on the agenda), the prospect of the new bridge being built and completed on a reasonable timescale is very low.

It is therefore considered that the proposal which is the subject of this application would not comply with Core Strategy policy GSP3, Local Plan policy LC4 or the provisions of the Framework in terms of the potential impact of the scheme on the living conditions of the nearest neighbouring residential properties.

#### Site Contamination

A land contamination report has been submitted with this application and concludes there are no overriding concerns that the previous industrial uses on the site would preclude the proposed redevelopment of the site. As with the Cintride site, officers agree that remediation of the Riverside site is highly likely to be possible, and this has been reflected in the subsequent consultation responses from the Environment Agency and the District Council, who recommend

approval subject to appropriate planning conditions. It is therefore considered that the proposals will meet the requirements of saved Local Plan policy LC24 in respect of pollution and remediation of contaminated sites subject to appropriate planning conditions.

### Environmental Management

The accompanying Environmental Credentials Statement submitted with this application contains an overview of the sustainability measures that would be incorporated into the design of the proposed development. This states that the development is centred on high quality new build interventions and conversion of key heritage assets with thermal improvements, where possible without affecting the special character of the existing buildings. The hotel scheme also incorporates the refurbishment of the Turbine Room that is currently in a neglected state and contributes to the heritage status of the site.

In respect of waste, policies will be put in place to minimise waste generation and to encourage recycling, including during the construction period. In respect of green materials, construction elements will be chosen for low environmental impact. In respect of transport, the Business Park is in a relatively sustainable location and designated as a current employment site, in close proximity of Bakewell town centre. The proposed scheme will incorporate bike stores for both short and long term stay.

With regard to energy, emphasis will be placed on providing the units with low energy consumption where possible. The design will incorporate the following features:

Minimise heat losses through the existing and proposed building's fabric through the use of highly insulated construction materials where possible.

- Design to utilise orientation and fenestration pattern for good daylight penetration within proposed buildings.
- Ventilation at levels to meet building regulation requirements.
- Careful selection of high efficiency mechanical and electrical plant and equipment.
- Installation of low energy light fittings throughout.
- Installation of white goods with grade A+ rating, where appropriate.
- Waste recycling facilities accommodated within the bin store.
- Re-use of existing fabric where possible.
- Selection of new materials in line with Green Guide for Specification.

In respect of renewable energy the accompanying statement states that the scheme provides a number of sustainable opportunities and these are presently being explored. It is envisaged that suitable options will be addressed as part of the evolving scheme proposals to incorporate the following, subject to a viability exercise:

- Hydroelectricity through the reintroduction of water within the mill race.
- Photovoltaics to provide green energy.
- Maximisation of rooflights/north lights with deep plan units to minimise energy consumption.



- Low and zero carbon technology report to address alternative energy source.
- SUDs solution to be incorporated to reduce surface water run-off rates.

Some of the above initiatives, such as the reintroduction of water into the mill race would be long term projects flowing from the further major redevelopment of the site. Officers consider that it may be possible to incorporate most the other above measures into the proposed hotel scheme. The 'double-pile' roof form may also provide an opportunity for the installation of concealed solar voltaic panels or solar heating panels, although it is acknowledged that the south-eastern facing aspect of the inner roof slope is not ideal.

Whilst the accompanying Environmental Credentials statement does not provide comprehensive or detailed information on these sustainability options, it is considered that there is sufficient information at this stage to satisfy the requirements of Core Strategy policy CC1.

### Community Involvement

The Framework states that early engagement has significant potential to improve the efficiency and effectiveness of the application system for all parties. A submitted Statement of Community Involvement explains that the applicants held a public exhibition in Bakewell in March 2015. Invitations were sent to 2000 local residents and businesses. This consultation was based on the two current applications, including the hotel proposals. Local stakeholders were invited to attend a preview session prior to the main exhibition. In total 62 feedback forms were received at the pre-application stage and where possible, comments have been fed into amended proposals for the hotel, and greater flexibility for business uses in the proposed commercial units.

It is also reported in the statement of community involvement that over 80% of the returned feedback forms supported the hotel proposal. 90% of the respondents also believed the associated new bridge access to be important. 72% of people supported the preliminary design of the hotel. In addition to the six questions requesting a direct answer, the feedback forms gave respondents the opportunity to make any other comments. Amongst these responses, there was a very strong (weight of numbers) response in favour of the associated new bridged access, to prevent significant traffic increases on Holme Lane. Additionally several positive comments were received relating to the effects of a new bridged access in reducing/removing traffic from Holme Lane, and easing congestion in the town centre.

The agent states that the comments on the hotel proposal have been reflected in the submitted design, with the design and materials refined and adapted to better reflect the industrial heritage.

### Planning Obligations

National policy recognises that some development may adversely affect some people and that local planning authorities can use planning conditions or obligations to ameliorate this. The Framework makes it clear that negotiated benefits must be necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonable related in scale and kind to the development.

The agents have indicated a willingness to enter into planning obligations in order to ensure that subject to the approval of the accompanying outline application, the developments will be undertaken as soon as is practicable in order to enable the new bridge access from the A6 to be provided. The applicant has also offered to provide a bus for the local transport group, similar to the undertaking agreed as part of the Aldi proposal.

Given that officers are recommending refusal of the concurrent outline application and the overriding concerns in respect of the impact on the residential amenities of the nearby residents during both the construction phase and after the hotel and allied uses are brought into use, it is not considered that planning obligations would serve alleviate or resolve the residential amenity issues generated by the hotel proposal.

### **Conclusion**

In conclusion, there are a number of positive aspects associated with these proposals that could generate some substantial socio-economic benefits for the local area. As a result detailed discussions with the Authority's officers the design and heritage aspects of the proposed hotel and its impacts on the adjacent designated and non-designated heritage assets have also been addressed and a number of issues raised in consultation responses and representations have been dealt with since the original submission.

However, whilst there are benefits afforded to the site and the wider local community by the proposed hotel scheme, it is considered that without the certainty of the new bridge access from the A6 being provided before the development proposals take place that the proposed use of Holme Lane and Lumford would not amount to the provision of a safe and suitable vehicular access to the hotel. There would also be a significant and adverse impact upon the residential amenities of the occupants of Lumford and Holme Lane, which would be contrary to Core Strategy policy GSP3 E, Local Plan policy LC4 (iv) and paragraph 17 of The Framework.

It is therefore considered that the harmful impacts of granting planning permission outweigh the benefits of doing so and the current proposals cannot be considered to be a sustainable form of development. Accordingly, the current application is recommended for refusal.

### **Human Rights**

Any human rights issues have been considered and addressed in the preparation of this report.

### **List of Background Papers** (not previously published)

Nil