

Planning Brief for FoBRA Committee on 19 September 2017

Regeneration of Foxhill Estate (16/05219/EOUT)

As most FoBRA representatives will know, despite the submission of compelling objections from more than 250 Bath residents and stakeholders, including Professor Mark Hepworth, and the giving of articulate and convincing oral evidence at the meeting on 26 July 2017 by many councillors, including both Combe Down Ward councillors, members of the Foxhill Residents' Association (FRA) and FoBRA, B&NES' Development Management Committee (DMC) approved CURO's application for outline planning permission to regenerate the Foxhill estate 5:4, much to everyone's surprise. It was disappointing to hear Council Officers advising members of the DMC not to either defer or reject the application (a) because they claimed that an application could only either be accepted or rejected by the Committee, and (b) that there was no point in rejecting the application because the applicant would only appeal which it would win!

Subsequently, and independently, the FRA, Bath's new MP, Wera Hobhouse and FoBRA each wrote to the Secretary of State for Communities and Local Government, The RT Hon Savid Javid MP to request that he call-in the decision so that following an investigation by an Inspector central and not local Government would determine the application. FoBRA also wrote to MPs representing NE Somerset (Rees-Mogg), North Wiltshire (Gray), Thornbury & Yate (Hall) and Chippenham (Donelan) alerting them to our principal concern which is the net loss of 256 social homes for rent from the Foxhill estate which may affect their constituencies directly or indirectly if CURO is shown the green light. Our pleas must have made some impact because on 17 August the SoS wrote to B&NES as follows:

*"In exercise of his powers under Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Secretary of State hereby directs Bath and North East Somerset **Council not to grant permission on this application without specific authorisation**. This direction is issued to enable him to consider whether he should direct under Section 77 of the Town and Country Planning Act 1990 that the application should be referred to him for determination."*

To assist him in his "consideration" FoBRA also wrote to the Leader of the Council, Cllr Tim Warren, on 29 August, suggesting that he too support the request for a call-in by writing himself to the SoS. It may seem odd, but FoBRA has been advised that the Council Cabinet does not have the authority to overturn decisions made by the DMC, so it seems that our "Leader" can quite legitimately write as we have proposed. We have given Cllr Warren sensitive information to support his own reasons for a call-in, should he agree to do so.

'Party Houses': No.5 Belvedere (17/02592/FUL)

FoBRA's campaign to have all so-called unregistered party house in Bath regulated by the LPA continues. Much print ink has been expended by the Bath Chronicle and its readers, prompted by letters and articles by FoBRA, as representatives will be aware. We understand that the subject planning application will not be determined by the DMC until late September. In the meantime, the Case Officer planned to have a further discussion with the applicants on 1 September and a meeting has been arranged by Cllr Peter Turner (Abbey Ward) on 27 September at which Vineyards RA and ABCPRA will continue to make the case for this particular planning application to be rejected. These two RAs will represent CARA. We would prefer that it was not withdrawn by the applicant so that the DMC are able to consider the reasons for our objections more fully.

Sulis Down (17/02588/EFUL) and Sulis Manor (17/03304/DEM)

The Hignett Family Trust and Bloor homes submitted a planning application to build "173 residential units, open space, allotments, green infrastructure, landscaping and associated works including the provision of vehicular access from Combe Hay Lane" in May 2017, this being the first phase of a larger development, which may total about 600 homes when completed. While not all of the proposed development lies within the southern curtilage of the City, the development, if approved, could have a severe impact on traffic to and from the odd Down P&R and thus directly affect Bath. One of the main problems with this application is that it currently omits an agreed Masterplan that is a policy requirement. Instead the applicants have submitted an illustrative comprehensive masterplan. Not good enough state the Council's Planning Policy Department who, with the Bath Preservation Trust and, unsurprisingly, eight nearby Parish Councils, are amongst the 41 objectors. Target decision date is 22 September. Most of the objections revolve around the traffic problems, but the illustrative homes look good.

Moreover, some eagle-eyed representatives from Greenaway and Widcome spotted that an application had been made to demolish Sulis Manor, which is within the city boundary. While this is not a listed building it still forms an important part of the city's heritage, and the BPT and other objectors have so commented. Then, surprisingly, BPT's comments disappeared from the planning portal. We alerted this to the planners who then said that the application to demolish had been withdrawn. We do not know what will happen next.....

Redevelopment of the Pickford's Site (16/05504/OUT now 17/03774/OUT)

The application to redevelop this site to provide purpose built student accommodation (204 bedrooms) was rejected, against officers' recommendations, by the DMC on 5 May 2017 because it was deemed to be too high, too bulky, too massive and that the external appearance would have a dominating oppressive and incongruous impact on the character and appearance on this part of the Lower Bristol Road and the wider WHS; the loss of storage use and that the loss of this business site would have an unacceptable impact on the local economy and as such there were strong economic reasons why its development for non-business uses was appropriate.

Unsurprisingly, the developers re-submitted their application on 4 August inviting the Council to reconsider their decision and threatening them with an Appeal if this re-application is refused. In the PSC's view, although the applicants have made some effort to make the buildings more appealing, the proposed buildings are still too high, bulky and massive, not unlike the exterior of a prison. While both the Council's Landscape and Arboriculture Environment teams have objected, Historic England have withdrawn theirs. Other comments/objections are awaited....

Wansdyke Business Centre (17/00955/FUL)

The re-submission of an application to demolish the existing buildings and structures for a mixed-use development of 126 student studios, commercial units, a fitness centre with associated access, parking etc was refused by the DMC on 2 June 2017 because it was deemed that its height, scale, massing, dense plot coverage, architectural style, external materials, and general appearance, would undermine the character and appearance of the area and constitute an incongruous feature within this otherwise predominately Victorian residential area. The developers have appealed and the main issues in these appeals are considered to be:

- the effect of the proposal on the character and appearance of the area;
 - whether the proposal preserves the setting of the Grade II* listed Church of Our Lady and St Alphege; and,
 - the effect of the proposal on the Outstanding Universal Value (OUV) of the World Heritage Site (WHS) (Appeal 1 only).
- A decision is awaited.

Destination Management Plan

The FoBRA Executive and other members were alerted to the existence of a document called the Destination Management Plan (DMP) for B&NES very recently. To our surprise this plan has been developed into its current state without [any] input from Bath residents, especially FoBRA as an important Bath stakeholder, and it seems that no resident group was either informed or invited to contribute to the plan. The document that will, when agreed, replace the long out-of-date plan dated 2007, is to be considered by the Council's Policy, Housing, Economic Development & Scrutiny panel on 5 September. The Chairman of the PSC has written to the Chairman of this committee (a) to express our concern that residents have yet to be consulted about this important plan and (b) to ask whether he, on behalf of FoBRA, can make a statement at the meeting. The Chairman has not responded to the complaint but has agreed to a statement being made by FoBRA at the meeting.

3rd September 2017

