

Planning Report for FoBRA Committee Meeting 10 March 2020

FoBRA's objection to the redevelopment of the Mineral Hospital (19/04933/FUL)

Members will be aware that this application for the change of use and extension of the 'Min' was considered by the FoBRA Committee at its last meeting. Members expressed concern that a new use was needed for this recently vacated building but believed that its adaptation should be sensitive to both its former important role in the city and its historic setting as well as surrounding land uses. The PSC submitted an objection obo FoBRA that fully supported the objections made by both TARA and the Bath Preservation Trust (BPT). It considered the current proposals to be unacceptable due to the insensitive scale, materials and design of the proposed huge extension to the rear of the hospital building on land which is within an area of high archaeological interest and potential and a valuable open space in the heart of the city. It expressed concern at the loss of two well-established trees in this open space and the impact this and the overlooking hotel rooms would have on the amenity and privacy of neighbouring residents, especially the elderly and vulnerable who live in Parsonage and Bridewell lanes. On a wider level, there was concern about the visual impact of the hotel use on longer distance views, particularly at night. FoBRA supported (1) BPT's arguments that this application should be refused on the grounds that the proposal did not safeguard the character of this important listed building and (2) Historic England's conclusions that it would fail to protect the Outstanding Universal Values of the WHS of Bath. The PSC urged that any revised scheme brought forward should demonstrate respect for the historic nature of both the much-loved hospital itself and its surroundings, which this application manifestly failed to do.

FoBRA's objection/comments on Bath Rugby's proposals to extend the temporary permissions for the retention of the current N, S, E & W stands until 2022: (20/00135/VAR, 20/00136/VAR and 20/00137/VAR)

The PSC recognised why the subject three applications had been submitted pending the long overdue anticipated application by Bath Rugby Ltd to erect permanent replacements for these temporary stands. However, in its submitted objection obo FoBRA, the PSC supported the cogent and compelling detailed comments made by many of the objectors, not least by WA and PERA, and shared the frustrations of those objectors who rightly believed that the developers were attempting to severely push the boundaries of Section 72 of the Town and Country Planning Act which states that Local Authorities "may" grant temporary planning consents for a specific period only. One objector suggested that the continual granting of temporary consents was an abuse of the powers entrusted to them [the LA] and another suggested that this application was an abuse of the goodwill of the Council. Be either comment as it may, members will wish to know that the Planning Practice Guidance (PPG) advises it will rarely be justifiable to grant a second temporary permission except in cases where changing circumstances provide a clear rationale and that there is no presumption that a temporary grant of planning permission will then be granted permanently. Notwithstanding the unconvincing arguments being deployed by the developers, the PSC concluded that it did not consider that "changing circumstances" existed to provide the clear rationale for the variations to be permitted and recommended that this particular matter *inter alia* be carefully and thoroughly evaluated by the Planning Committee in its determination of these applications.

FoBRA's objection to development of the Homebase Site to provide care community homes and ancillary facilities (20/00259/FUL)

Obo FoBRA, the PSC submitted an objection to this proposed development, and while it supported, in principle, the provision of care community homes on the Homebase Site, it expressed concern about the high numbers it was proposed be built and the paucity [lack] of inclusion of other types of mixed residential accommodation such as affordable homes that the city so desperately needed. In the PSC's view, the developer (Guild Living) was attempting to

cram far too many (317) dwellings into what is a relatively small site. It highlighted and supported the comments and objections submitted by not only those residents who lived adjacent to the site and were unsurprisingly most concerned about this proposal, but also those of other objectors, such as the Ward Councillor and both the Council's Landscape and Environmental Monitoring departments, who had submitted compelling, cogent and relevant arguments about the excessive height, density, brick cladding and scale of the proposed development. The PSC opined that by seeking only to build care community homes (Class C2), and not any Class C3 dwellings, the developer seemed deliberately to be avoiding to have to provide affordable homes on the site. It recommended that the heights and density of the proposed development should be reduced and more mixed housing be included in the application. It was also disappointing that the parking spaces immediately to the east of the site were to be retained as an overflow for Sainsbury's because, if this land were included in the application, it would de-intensify the development of this site.

FoBRA's objection to proposed retrospective change of use of 75 Rosewell Court from Class C3 to Class C4- House of Multiple Occupation (HMO) (20/00127/FUL)

Obo FoBRA, the PSC fully supported the objections, already well-articulated by the objectors (most of whom are residents of Rosewell Court), especially by TARA. It noted that this application was retrospective and thus the assumption was that the property was already being used without permission as a House of Multiple Occupation (HMO). The PSC suggested that if this assumption was correct, the applicant/owner of the property would be in breach of existing legislation and, notwithstanding, it opined that not only was the property wholly unsuited to its proposed use as an HMO because, if approved, *inter alia*, it would be overcrowded with wholly inadequate communal/living space for the occupants, but it would also set an unwelcome precedent in an accommodation block of some 120 mostly 2 bedroom dwellings in Rosewell Court, many of which are affordable housing, and in the city of Bath as a whole.

Planning Application to redevelop of Bath City Football Club (19/02276/FUL)

Still awaiting consideration and determination by the Planning Committee, but the Council's Highways Department has recommended refusal because the application would fail to comply with Placemaking Plan Policy ST7 sections 4a and b, in that it would not provide an appropriate level of on-site servicing and vehicle parking in accordance with the standards; and there would be an increase in on-street parking in the vicinity of the site which would affect highway safety and/or residential amenity. In addition, it appears that the Landscape Environment, Urban Design and Conservation department also oppose the application. Conversely, the CAB supports the application and, interestingly and controversially, the Council's Public Health Team have acknowledged the potential of the proposed 3G pitch to encourage physical exercise: "*....There have been some recent concerns about the safety of artificial pitches raised concerning the fact that they are made from rubber particles from recycled tyres and suchlike and that people using them can breathe them in. This has put a bit of a cloud over artificial pitches but risks are based on supposition and not any real evidence and more modern pitches are beginning to take these possible objections into account...*"

Planning Application 20/00023/FUL – Locksbrook Road

First, members will recall the discussion at the last FoBRA committee meeting when the Deputy Vice-Chancellor of the University of Bath(UoB) challenged the figures in the Demand Study [of Bath's future student accommodation requirements] by Knight Frank which concluded that "*...full time students in the city are projected to increase by 28% over the next five years....*" Professor Morley has subsequently informed the PSC (NJT) that the new Vice-Chancellor, Professor Ian White, had initiated a process of engaging with a range of internal and external stakeholders to inform the development of the new University strategy which will be effective (once fully approved by University Council) for the period 2021 and beyond. He stated that the UoB's five-year student number forecast would need to be informed by the strategic priorities

emerging from this engagement process and so would not be available until later in the year. However, it was clear to the university that given current numbers of 18 year olds and limitations on campus, their student intake was unlikely to change for the next couple of years; this view was supported by the VC at Bath Spa University.

Second, *inter alia*, Bath Preservation Trust (BPT) and the Council's Planning Policy Department have both recently objected to this re-application. The former could not support an earlier planning application of this scheme and concluded that it remained the same as its antecedent. BPT cite their resistance to the development of purpose-built student accommodation. While they support the provision of a mixed-use site through the incorporation of gym and light industrial units, they did not believe there was a demonstrated need for additional high-end PBSAs as suggested in BATHNES' Local Plan Options and instead emphasised the residential suitability of the site for key workers and young professionals due to its close proximity to local businesses and the RUH, and contributed to the shortage of affordable housing within Bath as noted in the Local Plan. However, "Planning Policy" have objected on grounds of loss of industrial floor space in the Enterprise Area, the cumulative impact of university related development, evidence of viability and affordability (for students).

Planning Application 19/01854/OUT- Hartwell's Garage Site Newbridge Road

Still awaiting consideration by the Planning committee.

NJT/JS/CC/PG

26 February 2020