

## **Planning Report for FoBRA Committee Meeting 21 January 2020**

### **Development of The Recreation Ground, Bath**

In December, Friends of the Recreation Ground (FoRG), wrote to their neighbours to inform them that Bath Rugby's Application to the High Court to overturn the 1922 Covenant restricting development over the Rec was being defended 'out of pocket' by the occupants of 77 Great Pulteney Street to represent the many concerned Citizens of Bath. Numbers were important to the defence and their London barrister asked for a 'show of hands' by means of small anonymous contributions towards the defence costs. The FoRG anticipate the hearing will be held in High Court of Justice in Bristol early in the New Year.

### **Bath Bankside (North Quays North) Interim Public Exhibition (10-11 December 2019)**

Bath Bankside forms part of B&NES Council's plans for the Bath Quays Development Area and was previously known as Bath Quays North. It is a significant redevelopment and regeneration project located adjacent to Bath City Centre, occupying a key position in the Bath City Riverside Enterprise Zone. B&NES Council plans to create a mixed-use development to transform the site with new employment opportunities (office, commercial, retail), new homes, a hotel and new amenities for the local community and visitors to the city. The current use of the site is predominantly as a car and coach park. Outline planning permission was granted in April 2019. Since then detailed designs have been developed to form part of a Reserved Matters Application to secure detailed planning permission, which will be submitted in early 2020.

No one from the PSC was able to attend the Bath Bankside exhibition at the Francis Hotel but a subsequent sight of display boards begged a few questions which have since been submitted to the developers.

1. In February 2018 FoBRA expressed concern about the [lack of] provision of Affordable Homes (AH) (18/00058/EREG03). The PSC has now observed that while the number of proposed new dwellings has risen from 75 to 92 since the original submission was approved, there was no mention of what percentage of these homes the developer plans to make affordable, FoBRA being particularly interested in the building of social homes for rent.
2. In the original submission there was no plan to include a hotel in North Quays. Now we note that plans include the development of a hotel with up to 130 bed-spaces. We questioned the need for yet more hotel bed-spaces, suggesting that the city was awash with these, many of which remain unfilled during the week, especially in the 5\* category, yet developers seem determined to believe more were needed. We recommended the developer absorb B&NES's Hotel & Visitor Accommodation Study Update 2018 that was published in February 2019 before advancing the plans for a hotel because we believed it made salutary reading. Instead, we proposed that the 3,800 sqm should be allocated to the provision of both more office space and AH.
3. Finally, the PSC said that FoBRA was concerned about the height of some of the proposed development with the original plans envisaged mostly four stories, building heights being critical in our World Heritage Site city.

### **Delineation of the Bath's 'Historic' Centre**

That there is no consistent definition or delineation of the 'historic core' or 'historic centre' of Bath was raised at the last meeting. It was suggested that there was a lack of an agreed definition of one of the key points of the Transport Strategy, or indeed an agreed language for discussing what most of us instinctively understand as the central area of Bath beyond the civic/commercial 'City Centre' as defined in the Core Strategy, the Placemaking Plan and the evolving 2016-36 Local Plan. In addition to these particular documents there were the City-wide Character Appraisal SPD, the WHS Setting SPD and various city centre maps. However, the latter maps' borders are primarily the River Avon (excluding Walcot), with Julian Road and Marlborough Buildings being the northern and western boundaries respectively. All in all, a right good old mix, but none fully reflect reality. It was suggested

that it would be helpful if an 'historic centre' could be agreed, and Patrick Rotheram kindly drew a map that represented a first shot at a definition; this was issued alongside one of the PRMS area for easy comparison. The draft map's aims were designed to meet two criteria: to be both central and historic. The boundary was within the Conservation Area (appreciating that this area extended way beyond the centre). It closely related to the PRMS area, included all the 'Key Elements' of the WHS (except Prior Park, which is not central) such as Great Pulteney Street, but not as far as Lansdown Crescent or Sydney Gardens, using the railway line as a convenient boundary to the south, but the canal would be an alternative.

These suggestions were then raised, comprehensively, first with Bath's World Heritage Site Manager (WHSM) and then with B&NES's Planning Policy department, with the former agreeing that there was indeed a right old mix of existing zones, but cautioning that they tended to be tools created to facilitate different initiatives and quite often they would be very different depending on the specific initiative. He opined that if there were a need to identify a central core for the Transport Strategy then that may need to happen, but a generic 'historic core/centre' was a difficult exercise and one would have to be careful that any such exercise produced more benefit than harm. He concluded that if there was a need to produce a zone for the Transport Strategy the 'cleanest' approach would be to call it the Central Bath Zone and leave historic out of the title. It wouldn't stop historic considerations being part of the criteria but it might make things a lot simpler.

Planning Policy agreed with the WHSM and pointed out that it was an interesting challenge and one that certainly could be useful to resolve so that all can have a common understanding of the geographic scope of various projects or initiatives. One of the problems, they perceived, was that each project would have different objectives that didn't necessarily lend themselves to sharing a common boundary. For example, the 'City Centre' as defined in the Placemaking Plan, related back to the NPPF and the requirement to define 'town centres' (city centres too!) so as to enable their vitality and viability. This was where 'main town centre' uses should be located, and this was specifically why the Rec was excluded from within its boundary; that said, they opined that it may be that town centre uses could be demonstrated to be appropriate here. In policy terms they considered the 'City Centre' was also different to the 'Central Area', and that renaming the latter as 'Future City Centre' wasn't appropriate, also endorsing WHSM's caution about defining 'historic' areas, and agreed that it would be wise to omit using this word in defining subsets of the city. In terms of the amount of weight that would be attributed to the Transport Strategy, this related to the specific issue being considered and they thought it would therefore be unhelpful to pre-determine the amount of weight to be ascribed to it. Although they conceded that others may have a different view they thought that the use of 'historic core' in the transport strategy shouldn't be taken too literally, i.e. that areas outside it are of less historic value. It was in reality the central area or city core that was the focus of the strategy. He concluded that it would be useful throughout the formulation of the Local Plan to consider the terminology for different areas of the city, and it would be helpful to discuss this with FoBRA in further detail when the time arrives.

We agreed that it was an interesting challenge and were pleased that they recognised that there was a terminological issue here, with real life implications, and the offer to discuss it with FoBRA further as the Local Plan is formulated would be welcome. We did however question (a) why the western extension of the city centre (the 'Central Area' in the Core Strategy) was not the city centre of the future and if they chose to call it something different (e.g. north and south quays) that would be fine, but just not the Central Area; and (b) their slight tautological comments on the Transport Strategy.

In reality, if it was the central area or the city core that was the focus of the strategy, what areas were these? We were certain that the Transport Strategy's aim of reducing the intrusion of traffic in the historic core was meant to apply to areas like The Circus and Royal Crescent and believed that it should also apply to Queen Square and George Street because those are in the city centre as defined by the Core Strategy. Most would think it also applied to Great Pulteney Street as well. They would all be within our draft definition of the Central Area (as both our maps covered). We believed the Transport Strategy was highly relevant to the Rec car park because of the significant amount of traffic it would generate in the central area. It was not, as we understood it, an SPD, but it would be a 'material factor' in the determination of this specific planning application.

Planning Policy would not be drawn further, hinted at unintended consequences at our proposals, but agreed to review the matter alongside the evolving Local Plan 2016-2036.

### **Redevelopment of the Mineral Hospital (19/04933/FUL)**

An application for change of use has been submitted to redevelop the Mineral Hospital into a 169 - bedroom hotel, plus a restaurant/café, a health spa, bar and lounge/meeting spaces. Although the Abbey Residents' Association (TARA) and Bath Preservation Trust are content in principle with the need for change of use, they are concerned with the proposed erection a 4-storey extension to rear of West Wing in the existing car park, the removal of two trees and the potential loss of amenity currently enjoyed by residents, especially the elderly and vulnerable who live in Parsonage and Bridewell lanes. TARA also point out that the proposal relies on vehicular access on surrounding streets, including Upper Borough Walls and Westgate Street, where the Council is evaluating major changes to traffic management and the use of road space which is still under review.

TARA's main objection relates to the four-storey extension that they consider is over-bearing, encroaches too close to residential buildings to the south and represents overdevelopment of the site. As a result, local residents are likely to be confronted by:

- Substantial loss of amenity including daylight and sunlight
- Overlooking from hotel rooms
- Risk of noise and disturbance from hotel rooms
- Light pollution from hotel rooms at night. It fails adequately to take into account the potential loss of amenity currently enjoyed by residents living in the area.

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

Awaiting consideration by the Planning Committee.

### **Planning Application 19/01854/OUT– Hartwell's Garage Site Newbridge Road**

Awaiting consideration by the Planning committee, perhaps in February 2020.

### **Planning Application 20/00023/FUL – Locksbrook Road**

The developers have re-submitted an application to demolish of the former Plumb Centre and Genesis Lifestyle Centre and build 52 student studios and 28 student cluster ensuite rooms (total 80) above 1354m space that will be available for light industrial use. Hitherto, the previous industrial space was 1085sqm. This application is very similar to one that was rejected in 2018, but the height of the three storey building has been reduced slightly. However, the developers seem to have based their re-submission on a study of Bath's future student accommodation requirement by Knight Frank which concludes that "...full time students in the city are projected to increase by 28% over the next five years...."