

Planning Report for FoBRA Committee Meeting 15 October 2018

Regeneration of Foxhill Estate (16/05219/EOUT) – Judicial Review

It is highly unlikely that the Council will appeal the High Court's decision to quash planning permission for the regeneration of the estate. CURO's application was withdrawn in July 2018.

Proposal to demolish Bath College's Ralph Allen Building (Milk/Avon Streets) and application to erect a new 198-bedroom hotel by Dominvs Group((18/03742/FUL)

On 6 June 2018 the Dominvs Group's application to build a 202-bedroom hotel on the old Bath College Site in Milk Street (Ralph Allen Building) [17/06214/FUL] was refused by the DMC primarily on aesthetic architectural grounds but also because they considered the proposed development would undermine the Outstanding Universal Values of the City of Bath World Heritage Site. As predicted the developers have submitted another application, reducing the height of the proposed development a little, reducing the number of bedrooms by 4 (!) and making some changes to offset the DMC's architectural objections. FoBRA has re-submitted its January 2018 objections to this application and has recommended that a decision is deferred until the findings of the Hotel Futures Study Accommodation Review (July – September 2018) have been assessed thoroughly by the Council planners to determine not only whether and when they see a quantifiable need for more hotel bed-spaces in the city during the Local Plan period, but also the detrimental effect this may have on existing visitor accommodation providers.

B&NES Hotel & Visitor Accommodation Study 2018

B&NES commissioned consultants Hotel Solutions to update its 2015 Hotel Futures Report, specifically to assess B&NES's visitor accommodation market's future growth potential and this time to include B&Bs, Airbnb's and short-term commercial holiday lets and what this means in terms of potential accommodation development in the area. The study will be used to inform the planning policies for accommodation development that the Council is intending to include in the new Local Plan (2106-2036).

Visit Bath/Destination Management Plan

A cull of Visit Bath staff has taken place, including its Chief Executive and, unsurprisingly, no further work has been undertaken to update the draft replacement of the 2007 Destination Management Plan which remains dead in the water. Christmas Market 2018

On 20 August, the Visit Bath (VB) Events Manager briefed the Chairman and ViceChairman on VB's current plan to expand the market's footprint to include Milsom Street because of the loss of use of Kingston Parade, Abbey Churchyard and York Street. This will mean a reduction in the number of stalls from >200 to 161. A planning application to extend the market into Milsom Street has been submitted. Members will be aware that planning for the current Christmas Market footprint and period is in place until 2019 when a new application will be submitted. Currently, VB do not intend to apply to extend the market from 18 to 25 days although, should the Council support such a proposal in the future and VB feel there is sufficient public sector interest, they would consider doing so. This of course would be after liaison with FoBRA and other stakeholders. Similar to 2017, VB plan to host a residents' evening on day 1 of the market.

Chivers House, Windsor Bridge Road (18/03797/FUL)

Planning application 18/00770/FUL to build a 199-room PBSA was withdrawn in May 2018, but the developers have now submitted a new application to develop 95 dwellings in two separate buildings on the site instead, but without any provision for affordable housing, contrary to B&NES's Core Strategy CP9. The developers have stated that a viability assessment will be provided to the Council under separate cover to demonstrate the exceptional costs of developing the site makes it unviable to provide any affordable housing. It is hoped that this assessment will be made transparent.

University of Bath's application to build School of Management (18/01267/FUL)

This application was approved by officers and development of the school is underway. Along with other stakeholders, FoBRA expressed its concern to B&NES and, separately, in a letter to the Bath Chronicle. FoBRA considered that approval of the planning application should have been tied by Condition and/or Section 106 Agreement to the provision of sufficient campus accommodation to address the imbalance resulting from UoB's policy of providing only 18% of its students with campus accommodation (FoI 2017/18 figures). FoBRA also expressed surprise and concern that an application of this importance was delegated to officers and not considered at the DMC where there would have been an opportunity for public debate or comment.

Mandatory HMO licensing changes

The Licensing of Houses in Multiple Occupation (Prescribed Description) (England) Order 2018 was laid before Parliament on 23 February 2018 and comes into force on the 1st of October 2018. The licensing scheme was previously limited to properties with three or more storeys. From 1st of October this year all HMOs with 5 or more people sharing facilities will need to be licensed, irrespective of the number of floors.

Independent Review of Planning Appeal Inquiries

Jan Shepley kindly represented NORA at a MHCLG independent review of planning appeal inquiries in Bristol on 21 September 2018. The plan was to draw together a small group of people who had experience of and an interest in the planning appeal inquiry process. Jan's table was tasked with looking at the early stages in the process. Participants were asked to present their own opinions based on their experience, which Jan did with reference to the interests of third parties in general. It is those who are most disadvantaged by the current practice - and potentially could be worse affected by some suggestions made for speeding up - so she believed it was useful to have been there. The roundup was documented but the conclusions of the review will not be published until after the three other regional sessions. Some interesting ideas were presented - some even may be workable - but most threw up unacceptable consequences. It seemed to Jan that more inspectors and more training are needed: some current problems are new and down to lack of experience.

29 September 2018