



BATH
PRESERVATION
TRUST

4th June 2014

14/01853/EFUL

Ministry Of Defence Ensleigh, Granville Road, Lansdown, Bath,

Full planning permission sought for the erection of 180 residential units (Use Class C3), a neighbourhood retail store of up to 306 sqm GIA (Use Class A1), associated highways works, infrastructure and public open space. Outline planning permission sought for a 60 bed Extra Care Facility (Use Class C3).

OBJECTION

BPT welcomes the principle of development of housing on the former MOD site on grounds that is a way of meeting some of the City's housing need on a brownfield site, and that it offers potential for enhancement of a currently unappealing, though relatively unobtrusive, site. In responding to consultations on Concept Statements for the site our concerns related to the layout, density, height and design of the development and the impact of development on setting and views of heritage assets, in particular Grade I listed Beckford's Tower and the city of Bath World Heritage Site. Where possible we seek to support the development of the site for housing, and enhance development proposals for this site. To achieve this end it is essential that BPT challenges aspects of these proposals that lack clarity or would potentially allow detrimental development in the city of Bath.

Note: Bath Preservation Trust is sole trustee of the Beckford Tower Trust and therefore has a specific interest in this site in addition to our general charitable remit.

Impact Assessments

First we must correct inaccuracies and inconsistencies within the supporting documentation (EIS and ES) so therefore they have not been properly taken into account in the Design & Access Statement/Heritage Impact Assessment.

In EIA and ES Lansdown cemetery is referred to as deconsecrated. It is not. Much of it is occupied by historic burials but the cemetery but still consecrated and at its far end still in use for new burials. There has therefore been no assessment of it as a consecrated space, still regularly visited by bereaved relatives and descendants, and the significant increase in negative impact the proposed development will have in contrast to the

relatively low negative impact the MOD occupation of the site has had on this quiet space for contemplation has not been considered at all.

The gateway to Beckford's Tower and walls flanking the gateway, have not been identified as a heritage asset - the gateway is **listed grade II*** in its own right, and is a separate heritage asset.

Also there is no mention of Lansdown Road as a significant route between Bath and Gloucester, another Roman city, where there is likely to be significant archaeology/potential Roman roadside burials.

An application for a proposal of this scale within a World Heritage ought to be supported by a proper Heritage Impact Assessment rather than have parts embedded in the D&A.

We feel that the significance of the Grade I listed Beckford's Tower and its setting, and the harm the proposed development will cause to it, has therefore not been adequately considered in accordance with paragraphs 132-134 of the NPPF which state that substantial harm to the significance of a designated heritage asset can be caused by development within the setting of that asset, and that any harm should require clear and convincing justification. The NPPG (para 019) highlights that 'studies [of heritage assets and their settings] can reveal alternative development options, for example more sensitive designs or different orientations, that will deliver public benefits in a more sustainable and appropriate way'. The duty to heritage assets is to 'protect and where possible enhance' as well as the avoidance of harm. Substantial harm to heritage assets of the highest significance, notably grade I and II* listed buildings, such as Beckford's Tower and Lansdown Cemetery Gateway, should be wholly exceptional. We refer in particular to *East Northamptonshire Council v. Secretary of State ex parte Barnwell Manor Wind Energy Ltd* on the issue of damage to the setting of a heritage asset.

Proposed Building Layout and Views

We regret that the layout of the site, the axis of roads and creation of vistas fails to take account of views of Beckford's Tower. We would encourage a layout which better reveals the significance of this important heritage asset.

The EIA (8.0 MITIGATION AND ASSESSMENT OF RESIDUAL LANDSCAPE IMPACTS, Historic buildings and spaces 8.1) states "*Positive relationships are maintained with adjoining historic buildings and spaces, including visual connections from within the Site which are made with the local landmark of Beckford's Tower.*" This is repeated in the D&A Statement page 28.

We do not consider that this has been successfully achieved. There is no single clear view to the Tower from the site and are very few views of the Tower at all, only the 'glimpses' noted in the D&A Statement. We question why the Tower has not been used as a focal point for a view/vista down a street or across the open space. The view of the Tower

would be almost entirely blocked from the site by the bulk and height of the care home facility and the adjacent tall dwellings.

Page 28 of the D&A statement states “*the distribution (of housing) seeks to maintain views through the site*”, however lack of open space between built forms prevents this.

ES 4.3.25 and D&A Page 14 state that central green space is a “*focal point in the development from which glimpsed views of the top of Beckford’s Tower can be seen.*” This glimpsed view is not good enough.

The complete enclosure of open space by 3-storey buildings does not offer any clear view of Beckford’s Tower. The layout of the site should offer at least some full views of the Tower and surrounding landscape, not just glimpses of the very top. In particular the play area should have a clear view of the Tower.

The orientation of buildings to allow future solar technologies is welcome.

The almost ubiquitous presence of single storey garages set between the several forms of houses creates a continuous bulk of buildings which again creates a barrier to through views. We would prefer to see the provision for parking integrated within gardens, perhaps below ground with gardens or green space on top rather than the provision of intrusive single storey garage blocks.

Permanent negative impact on Views from and to Beckford’s Tower

The EIA states that the mitigation for the permanent negative impact the development will have on Beckford’s Tower and cemetery is the ‘provision of open space between built forms’. While the central open space and the street layout is no doubt an attempt to meet this, the continuous bulk of built form remains apparent due to the minimal amount of open space between plots and therefore does not adequately address or mitigate this issue. Linden homes section RR with plots 126-111 clearly shows that this central open space will be largely indecipherable when viewed from Beckford’s Tower due to the height of the proposed buildings on those plots (Linden type). Similarly, the minimal open space between built forms, that is apparent on sections RR, is also an issue on Bloor homes section AA plots 85-102(Bloor type 5). The presence of garages set between the houses creates a continuous bulk of buildings that creates a barrier to any through views both to and from the central open space.

Page 6 of the Environmental Statement states “*The completed development will bring largely positive effects in respect of the heritage assets close to the site with a moderate negative effect on views towards the site from Lansdown Cemetery, becoming slight negative as the proposed tree planting matures.*”

The Statement fails to mention any negative effects on Beckford’s Tower.

The Statement continues to state that “*The cumulative effect of the development proposal for the Site combination with other adjacent development permitted on*

Granville Road, has been considered and it is concluded that this does not materially alter the assessed environmental effects in respect of heritage assets as outlined above”.

We disagree - the proposed development proposals will permanently affect Beckford's Tower.

We also note that Verified View no.8 (from road near Beville Grenville's monument) is not provided. This is a critical long view from that direction and shows the rural entry to the city. Furthermore there is no assessment of the view from the A46.

Design

We find the overall approach to the design aesthetic rather muddled - it cannot decide whether it is urban or rural. In the attempt to be more Cotswold in character, as imagery and supporting statement suggests, the development ought to be more rural looking and less urban. Leaning towards an urban idiom is inappropriate in this location.

The three-storey 'villas' around the central space look nothing like the villa styles of the Lansdown slopes and due to the repetition of the same unit type appear more like townhouse terraces, which are not characteristic of Lansdown.

Lack of sections makes assessment of the houses difficult, especially understanding internal reasoning for such height. The roof space appears to add an extra storey to the already 3-storey form.

In view of the closeness of many of the houses and their built-in rooms in roofs & rear extensions, we would expect that, if permission were to be granted, it would include removal of PD rights. **This needs to be clarified.**

The B&NES Concept Statement for the site suggests that the housing should be built to achieve Code Level 4/5 (Code for Sustainable Homes) therefore it is very disappointing that the development only seeks to achieve level 3, which is contrary to the Statement and to the aspirations of the draft Core Strategy. Regrettably, the application also fails to allow space for self-build & innovative technology e.g. Codes 5-6; this is again contrary to the Concept Statement which suggests 10%.

Height

The recommendations made in Nicholas Pearson Associates report (Ensleigh MOD Site, Bath MOD Site Concept Statement: Evidence Base - Landscape & Visual Appraisal February 2012) are repeated within the B&NES MOD Site Concept Statements. Both state that the building height should not exceed the prevailing building height in the area and that it may be necessary for the height to be less than shoulder height of nearby buildings (1-2 storeys) to prevent intrusion into views.

Furthermore, Bath Building Heights Strategy (September 2010) refers to the appropriate height for Zone 5 as 2-storey with

- *‘One additional setback storey generally acceptable’;*
- *‘One additional storey could be acceptable where it aids legibility, for example local centres, creates better enclosure or provides regeneration benefits and does not intrude into views onto the plateaux by exceeding the height of the tree cover.’*

At least half of the proposed development is above this height, with little or no stepping back at third storey. The extra height results in many house types appearing mean - they have narrow width and reduced proportions.

Tall 3-storey narrow gable-to-road houses have been placed at the edges of the site, whereas in D&A statement 3-storeys are shown around central public open space, with lower roof heights (2-3- & 2-storeys) toward edges. However the height map and scale map are conflicting.

It is regrettable that the height of 3-storeys has been introduced along Granville Road. We do not consider that buildings predominantly taller than two storeys from street level connect comfortably with the pattern of residential development in this peripheral part of the World Heritage Site. The Granville Road houses have already seriously compromised distant views across to the wooded plateau from the A36 and A46 and should not therefore be taken as a model for development.

A variety of buildings heights along street frontages would be more appropriate than a long run of one height which creates the appearance of a block of built form (rather than individual buildings or villas) such as can be seen on section RR. The appearance of individual buildings would be more akin to both Lansdown’s villas and the Cotswold’s rural character.

Materials

We acknowledge that the materials specified throughout the site attempt to reflect and harmonise with the character of Bath and its setting. However, the specification for materials needs clarification and agreement within the planning application rather than by Condition.

It must be made clear before the application is determined whether Bath stone rubble/ashlar is natural or reconstituted. **Reconstituted stone is NOT acceptable on this site in the World Heritage Site, as evidenced in the recent planning appeal against Gibbs Mews. Roofing materials appear not to have been specified.** There is no case for the use of artificial materials. All roofing materials across the site ought to be natural slate or clay pantiles. In addition, any rubblestone should take the form of Bath blocks not Cotswold slates, whether used in houses or landscaping.

Across the site there is not enough use of natural Bath stone, and too much use of render. We regret the use of a 'pale' colour render - this will be very visible from Beckford's Tower in views across the World Heritage Site. A darker stone colour maybe more suitable for any rendered surfaces. We do not consider that coloured wall surfaces (green or blue) are appropriate. In addition we would seek reassurances that the approved colour of any rendered surfaces will be maintained and controlled by the removal of permitted development rights.

The use of **natural traditional materials** throughout the development will help to integrate the development with its context and reinforce local distinctiveness and must be required at this stage, before permission is granted.

Visual interest would be added to otherwise bland roofscapes by the provision of chimneys which serve a purpose (ventilation). It is not clear why some larger properties have small stacks while others do not, nor of the purpose of these stacks.

For Bloor units there is no indication of what colour or material windows will be so we cannot visualise the 'panels and posts' where it is noted they will match the window material and colour. This requires more detail.

For all type 7s the specification of opaque panels requires elaboration on detail, e.g. colour, and the reconstituted stone specified is **not acceptable**.

In addition the importance of detailing and workmanship requires emphasis if the World Heritage Site's Outstanding Universal Values are to be respected.

The Shop

The shop forms the gateway to the development and it situated essentially at what is the gateway to the WHS. Development in this location needs to be of the highest standard of architectural design, which accords with the style and detailing within rest of the site and served as an appropriate introduction to the City. The proposed design is far from this.

We find the design uninspiring and bland, and its materials inappropriate. This proposed building fails to reflect or enhance the local distinctiveness of Bath and its environs, especially in the use of non-local timber cladding. There is too much glass with shop windows and glass balustrading. The retail nature of the shop will be very visible from road due to large glass windows in front and side elevations. This will be even more apparent after dark when the interior of the shop will be illuminated. This new and intrusive commercial use will detract from the landscape nature of the area and cause harm to this area of the WHS where there is no precedent for highly visible commercial use at City gateways. Furthermore we oppose the use of illuminated signage in this sensitive location.

There has been no attempt to evaluate the impact of having a shop opposite Lansdown Cemetery which is still in use as a place of quiet contemplation and retreat.

The view from Beckford's Tower will have direct sight of the shop. **The inappropriate design, materials and commercial nature of the building will have a permanent negative impact on the setting of the Tower and the special qualities of the Bath World Heritage Setting.**

Extra Care Unit

Whilst this building is indicative and will be subject to a later detailed planning application we must take this opportunity to raise the following points in response to the details which have been presented within this application.

The overall bulk and massing of this building is of concern and a different approach could better connect with the rest of the site and views of Beckford's Tower. As shown, albeit in outline, it places a monolithic and large plain roof-scape on the edge of the site. We would prefer the design approach to take the form of a collection of buildings rather than a large building. There also needs to be greater clarity about the number of storeys and, particularly, the ridge heights, as there is conflicting information in the D&A statement text and plans.

Landscaping

We regret that there is no provision for allotments, as is set out in the B&NES Concept Statement for the site, and wonder whether the proposed community gardens are really adequate substitutes.

The central green spine and 'pocket parks' and 'communal gardens' are all good for allowing residents to meet, as well as for lightening dense built development. Planting appears generally appropriate; however, the play area equipment appears rather mass-produced.

We are concerned that the creation of the central green space - formal garden, children's play area & 'village green' - which will form a natural social space for residents - will be delayed due to its location along the boundary of, or within, the retained MoD land which is to be developed in Phase 3, thus prejudicing community cohesion.

We welcome the reinforcement planting along Lansdown Rd, strengthening boulevard character and masking the shop from south travelling cars on Lansdown Road (but not from top of Beckford's Tower), also along N & W boundaries and strategically along Granville Rd. Early planting will be required to mitigate initial visibility, especially along ECH site (as VVM1a demonstrates).

We welcome retention of existing significant trees on site and would encourage the provision of more street trees. However, we query the use of "forest scale" or "parkland" trees in private gardens. Where strategic trees are provided in gardens some means of ensuring their permanent retention is required.

Lower level street planting is also welcome but its precise detail, in particular the hierarchy of hedges and their application along Lansdown Road, is not presently clear from the drawings. Consequently, it is difficult to envisage this important 'first view' of Ensligh when coming from town.

With regard to boundary treatments the park estate rail fencing run into reconstructed stone gate way piers (at a scale to reflect the hierarchy of the route) . This **should not** be reconstructed stone and there should be natural stone boundary walls. (see Materials above).

Photos are shown of dry stone walls - i.e. not mortared, and these are described elsewhere as random rubble walling. This walling is shown in pictures with flat coping stones, on top of which is soldier stone capping (or rubble-on-edge coping as they describe it), which defeats the object. It would appear that dry stone walling techniques are not understood. If the soldier stones are just on top of a flat coping stone they would presumably have to be concrete-mortared in place. More, and more appropriate, detailing is required.

Lighting

The Bath World Heritage site is a low luminosity city and development ought to respect this feature of the historic city and its setting. The Design and Access Statement is a bit thin on detail about lighting strategy apart from the statement in Part 2, P41. "Street lighting will include good practice measures to limit potential light spill and sky glow to Bath and North East Somerset current specification and 3 new columns are focused at the new Lansdown junction."

There is no statement about the ILP Environmental Zone. One might expect E3, but since the site is on the edge of the World Heritage Site and in close proximity to the Cotswolds AONB, the next lower Zone E2 would be more appropriate.

The Proposed Street Lighting Plan L256/35 and Lighting Lux Plan L256/36 does not declare the BS13201 class designed for, but it appears to provide an acceptable illumination and the dimming proposals are welcome. The Philips Iridium luminaries have zero upward light and are designed to be and must be installed without tilt to reduce light spill.

Transport

Whilst BPT does not usually comment in detail on transport matters, we feel the need to mention the following:

Road traffic generation figures will clearly exacerbate the already difficult peak hour conditions at Lansdown Road/Richmond Road (St Stephen's church) junction, yet apparently no mitigation contribution is considered necessary as the problem already exists (though to a lesser, more tolerable, extent). The similar problem at the A420/Freezing/Tog Hill junction is not even mentioned, though commuting via M4 is

envisaged. This is already a dangerous as well as congested junction and more thought needs to be applied as to how this will be made safe in practice.

Only the Park & Ride buses provide an adequate service into Bath. The sole suitable direct bus connection for rail commuters is the 7.30am no.2.

Conclusion

It is with regret that BPT OBJECTS to this planning application in its current form. The layout, design, height, appearance and materials fails to reinforce local distinctiveness and complement its surroundings and thus would substantially harm the special qualities of the City of Bath World Heritage Site, and substantially harm the significance and setting of Beckford's Tower.

The proposal therefore fails to comply with sections 7, 9, 11 and 12 of the NPPF, NPPG and B&NES Local Plan Policies D2, D4, BH1, and BH2.