**20/03071/EFUL**

**Dick Lovett (Bath) Ltd Wellsway Garage Lower Bristol Road Westmoreland Bath Bath And North East Somerset BA2 3DR**

Demolition of existing buildings and mixed-use redevelopment of the site comprising the erection of residential units (Class C3); erection of purpose built managed student accommodation (Sui Generis); flexible commercial floorspace (Class A1-A5/B1/D1/D2); associated parking; landscaping; improvements tothe public realm; and new vehicular access from Lower Bristol Road.

*Object*

This application concerns the Dick Lovett MINI and BMW sites along Lower Bristol Road, and at the corner junction between Lower Bristol Road and Windsor Bridge Road. It is situated within the World Heritage Site, and forms part of the indicative townscape setting of the Bath conservation area. It overlooks the surviving façade of the Bath Press, a recognised Non-Designated Heritage Asset (NDHA) of local significance and interest, and forms part of the wider urban setting of the concentration of Grade II mid-19th century two storey terraces including Park View, Belvoir Castle, and Victoria Buildings.

The site as existing is characterised by low-rise two-storey car showrooms set back from the pedestrian highway, with the BMW site fairly concealed behind green planting. Both showrooms are set within generous plots of hard landscaping, with some soft landscaping along the pavement edge and throughout the site. The site as it exists does not contribute towards or conserve local townscape character; however, due to their low height and low density form and layout, any visual harm is localised within the immediate streetscape. In its current form the site does **not** contribute to ongoing cumulative harm by existing developments within and across views of the WHS.

The Dick Lovett MINI site remains within the original site boundary of the Bath Western Riverside masterplan as consented in 2010 (see 06/01733/EOUT). A recent application for the redevelopment of the site was refused in 2020 (see 19/05165/ERES) on the grounds of inappropriate design, scale, appearance, massing and materials which would harm local distinctiveness. BPT acknowledges that the proposed layout, height, and function of the MINI site have already been approved within the parameters of the overall masterplan.

We do not object to the redevelopment of the site to provide housing. We would, however, reiterate that the site should be used to provide long-term housing for permanent local residents. Consequently this development should be expected to meet appropriate standards of residential amenity to ensure its long-term success in line with the requirements of Policy D6 of the Core Strategy and Placemaking Plan. We would strongly recommend that the National Minimum Space Standards (NMSS) are consulted throughout the design process, for both the residential and PBSA blocks.

The Trust is unable to support this application due to the proposed scale, height, and massing resulting in overdevelopment of the site, use of inappropriate materials, lack of design coherency, and alien roof profiles and articulation, which would be of cumulative harm to local distinctiveness and to the detriment of detriment of Bath’s indicative townscape character and appearance, and harm to the Outstanding Universal Values of the views in and across the World Heritage Site.

**Height, Scale, and Massing**

Fundamentally, we object in principle to the proposed height, scale, and massing of the site which by reason of its excessive, over-dominant form would constitute both vertical and horizontal overdevelopment of the site. This proposal would seriously exceed the guidance of the Bath Building Heights Strategy in which the application site as a whole (Zone 3) should be restricted to 4 storeys at shoulder height, or 5 storeys with the addition of a setback roof storey. A reduction to under 4 storeys is encouraged “in response to heritage assets, residential amenity and to prevent intrusion in views (Bath Building Heights Strategy)”; this does not appear to have been considered in relation to either the reasonable proximity of multiple Grade II terraces, nor the development’s position in views across the World Heritage Site. Long-range views provided within the D&A Statement indicate the increased height and densification of the Western Riverside area from significant viewpoints. We do not feel that comparisons with other contemporary developments in the area, such as Spring Wharf and Bath Western Riverside are adequate justification for further proposed cumulative harm to views into and across the World Heritage Site and conservation area.

The existing, nearby historic townscape along Lower Bristol Road remains significantly low-rise and residential in character, particularly to the east of the site with Grade II examples such as Victoria Buildings. The current site, whilst of no historic or architectural interest, does sit low within its setting and is recessed back from the pavement, and as a result continues to propagate the prevalence of Lower Bristol Road’s 1-2 storey roadside treatment. Therefore, the proposed deep plan blocks, continuous linear profile of the principal site elevation, and monumental height and scale of the development would result in an inappropriate, monolithic insertion into the townscape drastically at odds with the more modest character of the street, with resulting harm to views across the World Heritage Site.

We do not feel that the height of existing and proposed developments in the area is adequate justification for the scale of the current proposal. We would reiterate our previous comments (see 19/05165/ERES) that the proposed collective height and massing would dominate and ‘box in’ the Lower Bristol Road townscape. In conjunction with other developmental proposals, such as the upcoming 3-5 storey development of the Bath Press directly opposite, this would result in an unwelcome ‘canyon’ effect on the street. This would be incongruous to Bath’s built form, rather than successfully contributing to a “new townscape context” as proposed in the D&A Statement.

We emphasise the importance of assessing cumulative harm caused by this development, in conjunction with other approved developmental schemes in the area.

Moreover, we note that the articulation of the site through the use of marked variation in building heights along principal elevations is an architectural technique without precedent within Bath’s public thoroughfares or residential districts. We feel that this would introduce an unwelcome precedent for the treatment of contemporary apartment blocks within Bath, without adequate relation to the historic environment.

**Design and Appearance**

We would note that Policy SB8 of the Core Strategy and Placemaking Plan emphasises that the Western Riverside site (as outlined) should “create an appropriate townscape that relates to the scale of the Upper Bristol Road /this key route into the city, rather than seeking to create a ‘gateway’ or landmark buildings.” By analogy, the treatment of this site as a standalone, defining architectural landmark is not supported by local policy. In addition, we reiterate that the combined use of inappropriate form, articulation, and materials does not contribute to, complement, or conserve local distinctiveness or ‘Bathness’, and would therefore be of detriment to Bath’s indicative townscape appearance. We maintain that considering the site’s location along a significant vehicular approach to Bath, development should demonstratively utilise examples of Bath materiality and texture to better recognise, harmonise, and connect with its local architectural context.

In particular, the proposed roof articulation is of an incongruous design without a clear Bath-based reference. The combination of a shallow roof pitch with chamfered gable ends would be an alien addition to the townscape, sitting awkwardly in an area with an established pitch and form of roof profile, forming a rhythmic, harmonious whole along the Lower Bristol Road frontage. Combined with the uncharacteristic bulk and height of the development, this would serve to isolate the development from its architectural context and fail to contribute positively to local distinctiveness and identity.

With regards to the materials (bricks) proposed, there appear to be discrepancies within various elements of the application. In the D&A Statement Blocks 01 and 02 are referred to as utilising “light yellow brick”, whilst Block 01 has red-brick sample examples, and Block 02 has grey-brick sample examples; these colours are different in the ‘material studies’ drawings and the CGIs. We would ask that details are clarified before this application progresses further.

Nonetheless, we find the volume of brick proposed across the site to be excessive and out of keeping with the material and colour palette of the townscape. The comparison with other developments, such as Twerton Mill and Spring Wharf, is unsuitable, as the use of brick on these sites is restricted to the riverside, set back from the roadside, and they are of a smaller scale. Rare historic precedents for the use of brick within the area are restricted to Camden Mill to the far east of the proposed development site, which remains strongly associated with its immediate riverside context and position. In contrast, the proposal would introduce a highly conspicuous use of brick ‘inland’ along Lower Bristol Road, along a sensitive corner elevation described as being a “gateway” site into Bath, at odds with the immediate historic vernacular of its setting.

Therefore, the Trust maintains that the proposed use of brick would be over-dominant within its immediate setting, and wider indicative setting of the conservation area, and would negatively impact the setting of existing, largely harmonious examples of Bath stone construction, such as the Bath Press.

We acknowledge the proposed design draws on the intangible industrial heritage of the site as the location of the 19th century Bath Junction of the Midland Railway immediately south of the Bath Gas Works. However, we would emphasise that the preference for industrial vernacular does not complement or connect with the extant material 19th century heritage context of the site, and the over-use of brick would be fundamentally incongruous with the indicative townscape character and appearance of the Bath World Heritage site.

We would therefore encourage a more harmonious approach which considers appropriate aspects of modern roadside elevation treatments. In particular, we would highlight the potential to integrate the design, form, layout, and massing of the Dick Lovett site with the upcoming revised Bath Western Riverside masterplan.

**Residential Amenity**

We have some concerns regarding the ambiguity of the proposed measurements of both the residential apartments, and student studios/rooms. The D&A Statement claims that: “Almost all apartments are designed to National Minimum Space Standards or bigger with the exception of some unique apartment typologies.” However, no information has been provided with regards to how many apartments meet NMSS, and no apartment measurements or scales have been provided for assessment by the LPA.

Further there is no mention of whether the student studios/rooms meet NMSS; considering the scale and residential capacity of the scheme, we would reiterate our previous comments (see 19/05165/ERES) regarding the potential future adaptability and flexibility of use of Blocks 03 & 04. Part of this futureproofing would be to consider using NMSS to promote quality conversion of PBSA units to residential C3 units. We would ask that specifics of proposed apartment and student studio/room sizes are submitted to the LPA before this application can progress further.

**Conclusion**

The development, by virtue of its excessive scale, height, and massing, would constitute overdevelopment of the site. It fails to be a scheme of a high design standard, as is warranted on such an important approach into the City and one which lies within the World Heritage Site. It would fail to preserve or respond to local distinctiveness or ‘Bathness’ through the excessive use of inappropriate materials, and the introduction of alien form, height variation, and roof articulation, and would result in cumulative harm to Bath’s townscape character, harm to the views in and across the World Heritage site, and would harm the indicative setting of the conservation area. This application is therefore contrary to the Planning (Listed Buildings and Conservation Areas) Act 1990, Section 16 of the NPPF (particularly paras 184, 185, 196, and 200), and Policies B1, B4, BD1, CP6, D1, D2, D3, D4, D5, HE1, and SB8 of the Core Strategy and Placemaking Plan, and should be refused or withdrawn.