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**Appeal Reference: APP/F0114/W/21/3283661**

**Application 20/04067/FUL**

**Waterworks Cottage, Charlcombe Way, Fairfield Park, Bath, Bath And North East Somerset, BA1 6JZ**

**The Bath Preservation Trust (BPT) calls for this appeal to be dismissed on the following grounds.**

**We maintain that the cumulative scale, massing, and density of the proposed development would constitute OVERDEVELOPMENT of this garden site, and would result in harm to local landscape and townscape character. Development would constitute UNJUSTIFIED harm to the setting of a Non-Designated Heritage Asset (NDHA), harm to the indicative townscape setting of the conservation area, AONB, and Green Belt, and harm to the Green Setting OUV of the World Heritage Site.**

In this statement, BPT will argue that this scheme is not compliant with local and national policy, and Reasons 1 & 2 for refusal as stated by B&NES Council should be maintained as follows:

*“1. The proposal results in overdevelopment of the site through its cramped and contrived form, particularly plot 2 and its poor relationship in the setting of the existing dwelling. Additionally, the proposal by reason of its design of the proposed dwellings, particularly the flat roofs of plot 2, detracts from and fails to respond to the local context, failing to maintain the character and appearance of the surrounding area. The proposal is contrary to policy CP6 of the adopted Core Strategy (2014) and policies D1, D2, D3, D4 and D5 of the Placemaking Plan for Bath and North East Somerset (2017) and the NPPF.*

*“2. The proposal fails to conserve or enhance the landscape setting of the locality contrary to policies NE2 and NE2A of the Placemaking Plan for Bath and North East Somerset (2017) and the NPPF.”*

**Principle of Development**

The appellant asserts that *“given that Bath is tightly constrained by Green Belt and AONB adjacent to its boundaries there is little scope for accommodating the further requirement that is now necessary on greenfield sites adjacent to the city boundaries. Therefore, urban intensification on existing urban land within its boundaries must make a significant contribution to delivering the additional, minimum requirement.”* Whilst we acknowledge that the site constitutes developed land, this statement overlooks the fringe location of the site on Bath’s rural periphery, looking out onto undeveloped countryside to the north and east. The generous garden site is therefore integral to the transition from lower-density residential housing into Bath’s landscape setting and provides a soft, green buffer with the increasingly built-up residential context to the south.

The appellant goes on to state that *“it is therefore imperative that the potential of housing opportunity sites in Bath is maximised, and that urban intensification is facilitated in those parts of the city where it will have limited impact on the attributes that contribute to the Outstanding Universal Values that define the World Heritage Site (our emphasis).”* We maintain that this does not account for the sensitive rural location of this site within the setting of the World Heritage Site, and the important low-density interface provided by Waterworks Cottage between “the compact and sustainable form of the city” and Bath’s and “the green, undeveloped hillsides within and surrounding the city (World Heritage Site Management Plan 2016-2022).”

**Development of an “urban” grain and density in this area is therefore considered to be contrary to the low-density, verdant qualities of the area as a significant intersection between Bath and its landscape setting.**

In relation to the need to allocate sites to meet housing demands, the Local Plan Partial Update highlights the comparative sensitivity of Bath’s outskirts and how this should be considered in relation to development: *“At a strategic level, opportunities on the edge of Bath were assessed and allocated where appropriate through preparing the Core Strategy. The impact of development on the edge of the City not only in Green Belt terms, but on the World Heritage Site and its setting, the Cotswolds AONB and other environmental assets, was shown to limit development potential (our emphasis). Circumstances are not considered to have changed since adoption of these Development Plan Documents.”* The impact on landscape setting and the rural character of the site on the rural edge of Bath should therefore be granted additional weight in the planning balance.

We highlight that the proposed development would contribute two new dwellings to the local area. The development is not considered necessary to facilitate the reuse of the existing Waterworks Cottage. This does not constitute a *“significant contribution”* to housing targets, and therefore is attributed **limited weight** as a public benefit.

We do not consider the appeals referenced in Appendices 3 & 4 to provide an appropriate comparison. Both schemes proposed larger housing delivery of 9-10 homes and consequently were afforded greater weight. However, both schemes are located in distinctly urbanised areas on significant arterial thoroughfares; the Brighton scheme faces onto the A259, and the Midsomer Norton scheme similarly faces onto the A362. Neither scheme is located within or adjacent to a sensitive landscape designation such as the Green Belt, AONB, or setting of the World Heritage Site. Consequently, the planning balance of the proposed scheme cannot be considered in the same way and greater weight **MUST** be attributed as to whether the scheme conserves or enhances the landscape setting of its locality.

**Overdevelopment of the Site**

We maintain that the revised layout of the scheme would continue to be of detriment to Fairfield Park’s existing plan form and associated character. Of a mixed mid- to low density built grain, the residential pattern of development incorporates generous private garden spaces for the benefit of residential amenity whilst ensuring a visual openness, both within the area and with its wider indicative setting, is retained. Particularly along the northern fringe and Charlcombe Way, there is a distinct pattern of detached dwellings buffered from one another within their garden settings. We therefore maintain that the subdivision of the site to provide three dwellings would result in the excessively cramped development of the site uncharacteristic of the established streetscape pattern and grain of the area.

In particular, the movement of Plot 2 further to the north to accommodate the retained cottage footprint has resulted in an increasingly cramped and awkward layout, a poor spatial relationship with the north elevation of the cottage, and an insubstantial garden space in stark comparison with its neighbours due to the fencing off of the corner site for ecological enhancement.

Considering Plots 2 & 3 are proposed to offer two four-bed dwellings, the proposed outdoor amenity space appears to be of inadequate residential amenity to meet the demands of what would likely be family dwellings, and would be of detriment to the visual amenities of the area in which dwellings are set within generous garden grounds. This site is not a sufficient scale to provide two new dwellings and appropriate amenity space. **By these standards, the scheme would be of inadequate residential amenity and would fail to sustain local character, and therefore the scheme is considered to be overdevelopment of the site.**

The appellant has referenced paragraph 120 of the NPPF in relation to the need to *“give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs.”* However, this does not appropriately account for paragraph 124 of the NPPF in which *“planning policies and decisions should support development that makes efficient use of land, taking into account […] the desirability of maintaining an area’s prevailing character and setting (including residential gardens) (our emphasis)”.*

Development would consequently result in excessively cramped **OVERDEVELOPMENT** of the site uncharacteristic of established townscape form, pattern, and grain. Development would fail to positively respond to the site character and its local context, and would therefore be contrary to local policies CP6, D1, D2, and D3.

**Adverse Impact on Landscape Character and Heritage Assets**

The Fairfield Park area is characterised as primarily residential, and an area in which “the special relationship between the city and its surrounding hillsides” (Bath City-wide Character Appraisal) is particularly prominent to the north, and development on the higher slopes retains an open visual character with views out to the surrounding hills. The site opens out onto long range views to the south and east across the Lam Brook valley, and its direct view out to Little Solsbury Hill is a “strong unifying feature of the area” that consolidates its rural, countryside character along the fringe of Bath’s residential periphery. Fairfield Park is noted as creating a definitive boundary to the countryside to the north with a “crisp” development line, outside of which there is little to no spilling out of development.

The site retains a strong visual connection with its landscape due to its steep, east-facing slope towards the Lam Brook, and the low profile of Waterworks Cottage allows unbroken views out across the Lam Brook Valley to Little Solsbury Hill, as well as views immediately north. Whilst not situated within the boundary of the AONB and Green Belt, the largely undeveloped nature of the site has resulted in a soft visual barrier between Bath’s residential periphery and its rural hillside setting. The site retains features indicative of the AONB’s distinctive, rural character such as tall hedgerows which frame the cottage’s streetside presence. Consequently, Waterworks Cottage remains a positive rural contributor to the setting of the Cotswolds AONB, and associated open landscape setting of the World Heritage site; part of its defined OUV is in its green, undeveloped setting, the retention of “open agricultural landscape around the city edges,” (Management Plan 2016-2022) and “fingers of green countryside which stretch right into the city”.

Waterworks Cottage retains additional significance as a mid-19th century NDHA of local historic and social significance relating to the original site of the Charlcombe Water Works Company Ltd (B&NES Pre-Application Report 2017). As existing, it remains an attractive example of a traditional worker’s cottage, with the surviving garden following the historic plan form at the entrance to the Works. Whilst it is acknowledged that the wider context of the Works has been eroded, the cottage retains its localised context through the surviving plan form of the garden and the adjacent vehicle access to the north-west and therefore continues to be attributed localised historic importance within the area.

We therefore reiterate that development would result in the increased spilling out of built development to the north and the creation of a hard, suburbanised buffer against the boundary of the Green Belt and the AONB. Edge development is noted as a detrimental development pressure on the village and town settlements within the Cotswold AONB due to the resulting impact on the wider landscape setting of a settlement and harm to historic form.

The urbanising impact of development would be felt in streetscape views with the creation of two new elevated areas of hardstanding for off-street parking. This would be of further detriment to the visual amenities of the area, which remains distinctly verdant in character with well-established street-side planting.

The siting of plot 2 would be located in close proximity to the cottage, impacting upon its historic setting, and unbalancing the cottage’s central position. The further fracturing of the cottage’s historic setting is considered to result in harm to the Non-Designated Heritage Asset which should be considered cumulatively with the site’s contribution to the setting of the Green Belt, AONB, and the World Heritage Site.

**We maintain an objection in principle to the proposed volume of residential development on this site, which would have an urbanising effect on an important rural feature of Bath’s periphery and the AONB, and consequently harm the OUV of the picturesque landscape setting of the World Heritage site.**

**Conclusion**

By virtue of the scale, massing, and density of the proposed development, this application constitutes overdevelopment of the site, harm to the indicative townscape setting of the conservation area, Cotswold AONB, and Green Belt, and harm to the Green Setting OUV of the World Heritage Site.

The proposals do not comply with the requirements of Policies D1, D2, and D3 to contribute positively and avoid harm to local character and distinctiveness.

Development is contrary to Policy NE2 where it fails to conserves or enhances local landscape character and local distinctiveness.

We maintain that the limited public benefits do not outweigh the cumulative harm to local character and distinctiveness and the sensitive landscape setting of the Green Belt and AONB.

**Bath Preservation Trust therefore calls for this appeal to be dismissed.**