



22/03224/EFUL

Former Gasworks, Windsor Bridge Road, Twerton, Bath, Bath And North East Somerset,

Demolition of existing buildings and decontamination/remediation of the site to facilitate redevelopment for a residential-led mixed-use development, comprising residential dwellings (Class C3 Use) and provision of Class E floorspace (Class E(b) and (f) Uses), together with associated infrastructure, landscaping, and car and cycle parking, engineering works (on site and to associated areas) and access and works to the existing river wall, infrastructure and gasholder voids.

Objection - 21/10/2022

This application seeks permission for the scale, appearance and landscaping of residential mixed-use development to provide 616 new homes, 234 car parking spaces (residential and nursery/early years), 1,029 dedicated cycle parking spaces and 64 further cycling parking spaces on external stands; commercial areas including a nursery/early years facility and associated open space, a micro coffee counter and a commercial unit proposed for use as a food and beverage venue; and new public spaces in the form of a new public square and public balcony; and landscaping to provide a river park and private gardens.

The site of proposed development is the old Gasworks site, located within the Bath World Heritage Site and the immediate indicative townscape setting of the conservation area. The site forms part of the allocated Bath Western Riverside site under Policy SB8 of the Core Strategy and Placemaking Plan. An outline application for the development of up to 2281 residential homes and apartments and up to 675 student bedrooms was permitted in 2010 (see 06/01733/EOUT). The site was in use as the Bath Gasworks by the mid-19th century, although the company was first established in around 1818. The site was cleared of buildings associated with the Gasworks post-1975, and the final gasholder was demolished in 2016. Surviving built structures associated with the site's original industrial use are concentrated along Upper Bristol Road (Kelso House and Kelso Villa, both Grade II), as well as the two defunct gas pipe bridges to the north and west of the site, both of which are recognised as Non-Designated Heritage Assets (NDHAs).

The townscape character of this area of Lower Bristol Road is varied, featuring a mix of historic and later 20th and 21st century development. The historic built form is predominantly low-rise terraced housing of 2-3 storeys to the east and west of the site, including the Grade II 1-32 Victoria Buildings. This area of the Western Riverside site remains primarily light industrial/commercial in use and character; whilst the defunct, scrubland appearance of the Gasworks site is of detriment to surrounding townscape character, existing qualities of the site should be acknowledged such as its openness, retention of north-south views, and the contribution of green boundary planting to the riverside corridor.

BPT welcomes the opportunity for the redevelopment and regeneration of a significant brownfield site within the city for housing. The proposed development must contribute towards Bath's high demand for affordable inner-city accommodation and help to meet local housing need. Development on this scale must be high quality, sustainable housing of mixed tenure that meets national space standards, and 'futureproofed' to meet changing use requirements.

BPT considers that the development proposal in its current form falls short in terms of the quality appropriate to sustain the value of the World Heritage City.

The proposed scale, height, bulk/massing, form and appearance risks resulting in the cumulative overdevelopment of the site. The design approach and use of materials would fail to appropriately reflect, reference, or reinforce local distinctiveness or townscape character, and would instead result in an isolated, 'anywhere' design is discordant with the special characteristics of Bath as a conservation area and World Heritage Site. We have significant concerns regarding ongoing, cumulative harm to landscape and townscape views across the City and resulting adverse impact to the landscape setting OUV of the World Heritage Site.

For the following reasons we are unable to support the current proposals, and call for the proposals to be reconsidered or refused on the grounds set out below:

Affordable Housing

The affordable housing offer as part of this development has not yet been clarified within the application. Given the proposed scale of development and its location close to the city centre, we strongly recommend that affordable housing provision is maximised to address rising house prices in the area which are inaccessible to a significant proportion of local residents. The development is expected to contribute a minimum affordable housing percentage of 30% in line with Policy CP9 of the Core Strategy and Placemaking Plan.

We further emphasise that affordable housing should be provided in a mix of housing types and tenures to "contribute to the creation of mixed, balanced and inclusive communities" (Policy CP9). Delivery across the site should be tenure-blind both not only in terms of the types of housing provided, but also in terms of access to residential gardens/green space. For instance, allocation of all affordable housing in a single block (eg. Block G) would not be considered acceptable.

Heritage Assessment

The site is located within the World Heritage Site and as such development must be considered against the identified OUVs and the associated authenticity and integrity of the City. Whilst the site is located outside of the conservation area (CA), it sits immediately against the CA boundary which cuts across the river's southern bank. As such, the site forms part of the immediate townscape CA setting, experienced in close and mid-range views from the CA to the north.

The site has a long-established history as part of Bath' industrial district to the south of the river, contributing to the 19th century expansion of the Georgian City. Following the dismantling of the final gasholder in 2016, the material evidence of the industrial past of the site has largely been lost. Nonetheless, photographic/drawing evidence within the Heritage Statement record examples of later 19th century historic building forms and elevational treatments indicative of their industrial context. Building form on the site was historically of a mixed density, including rows of homogenous gable-fronted buildings as well as larger 'standalone' mill buildings, in sharp contrast with the looming presence of the gasholder towers.

In accordance with Policy CP6 of the Core Strategy and Placemaking Plan, "*the distinctive quality, character and diversity of Bath and North East Somerset's environmental assets will be promoted, protected, conserved or enhanced.*" We therefore highlight the need for a relevant historical assessment or exploration in relation to the historical development and built characteristics of the site. We do not consider that the Heritage Statement provides adequate detail in relation to the original form and layout of the site and how the context has informed the proposed design approach. The proposed development misses the opportunity to appropriately reference and reinforce the industrial narrative of the site and its historical contribution to Bath as a developing city.

We are further concerned by the proposed demolition of the Pipe Bridge, "*a non-designated heritage asset identified on the Historic Environment Record*". Whilst it is indicated that the "*its removal is necessary to achieve access to the riverside on the Site, in light of the contamination consequent upon its former use*", it is not clear how its removal would enable access and the total loss of a Non-Designated Heritage Asset (NDHA) remains insufficiently justified.

BPT has heritage concerns regarding the removal of historic infrastructure associated with the industrial past of Bath Gasworks, and associated deterioration of significance (see permitted planning application 22/01093/REG03 for the proposed demolition of the defunct gas pipeline bridge adjacent to Windsor Bridge). We continue to reiterate that demolition would result in the insufficiently justified loss of a NDHA, and would fail to appropriately reference and reinforce the industrial narrative of the site. The proposed Historic Building Recording is a requirement for any "*heritage assets to be lost*" in accordance with the NPPF, but in itself is not considered to be adequate justification for demolition.

We again emphasise the possibility of the retention and refurbishment of surviving structures as part of the industrial character of the townscape as well as offering an opportunity to create a sustainable transport link across the river and better integrate the Gasworks site into its local context. We emphasise the importance of sustaining the surviving industrial interest of this site wherever possible.

Design & Appearance

We continue to highlight the disparate approach to design, landscaping, and infrastructure across the allocation site due to fragmentation of the site between multiple developers and design teams without a cohesive overarching masterplan or design brief.

The architectural approach proposed fails to embody or reference the site's industrial heritage and distinctive forms as has been done as part of other national gasworks regeneration schemes, and is without sufficient assessment or justification for the forms of development proposed, beyond the need to deliver a high-density residential scheme.

1. Scale, Height & Massing

The proposed scale, height and massing of the development, excessive, and over-bearing form would constitute both vertical and horizontal overdevelopment of the site.

We have strong concerns regarding the overdevelopment of this site in terms of height, with the proposed 5-8 storey blocks resulting in a monolithic and over-dominant impact on its townscape setting. In accordance with the Bath Building Heights Strategy, the recommended height of development within Zone 3 is as follows:

“Building shoulder height should be 4 storeys. One additional setback storey within the roofscape is likely to be acceptable. Modifiers: 1 additional storey may be acceptable along Lower Bristol Road except where it is in close proximity to existing 2-3 storey residential areas. 1 additional storey may be appropriate fronting public space and marking key locations such as corners or gateways and mixed-use centres.” This does not account for the application of downward modifiers to restrict height where there may be impact on heritage assets, such as the World Heritage Site.

The Bath Western Riverside Spatial Masterplan SPD originally indicated that the area is allocated for development of an approximate height of 4-6 floors (see Fig. 1), where this *“would not have unacceptable townscape or visual impact on the City and, subject to analysis of specific proposals and to detailed design, are likely to be acceptable.”* The Masterplan highlights that Bath is typically characterised by a lack of tall buildings, apart from the punctuation by key buildings and Spires such as the Abbey - *“generally other tall buildings that have been developed have harmed the integrity and balance of city views.”*

Policy SB8 of the Core Strategy and Placemaking Plan indicates a development target of *“around 1,500 dwellings”* of a *“high-density urban form”*. However, development is also expected to *“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.”* Development would adversely reinforce the increasing scale and massing of contemporary development in this area and continue to push the boundaries of maximum height, with continued detriment to the established historic form, grain, and layout of the area.

The proposed development would therefore be excessive in scale, contrary to local guidance and height parameters. Whilst we recognise the need for high density development as set out in local policy, this does NOT consequently justify high rise development where this would be of detriment to the setting of the conservation area and the OUV of the World Heritage Site.

NO justification for the proposed building heights has been provided in relation to the target housing numbers set out in Policy SB8.

Plan 2.10 Scale, Height and Massing

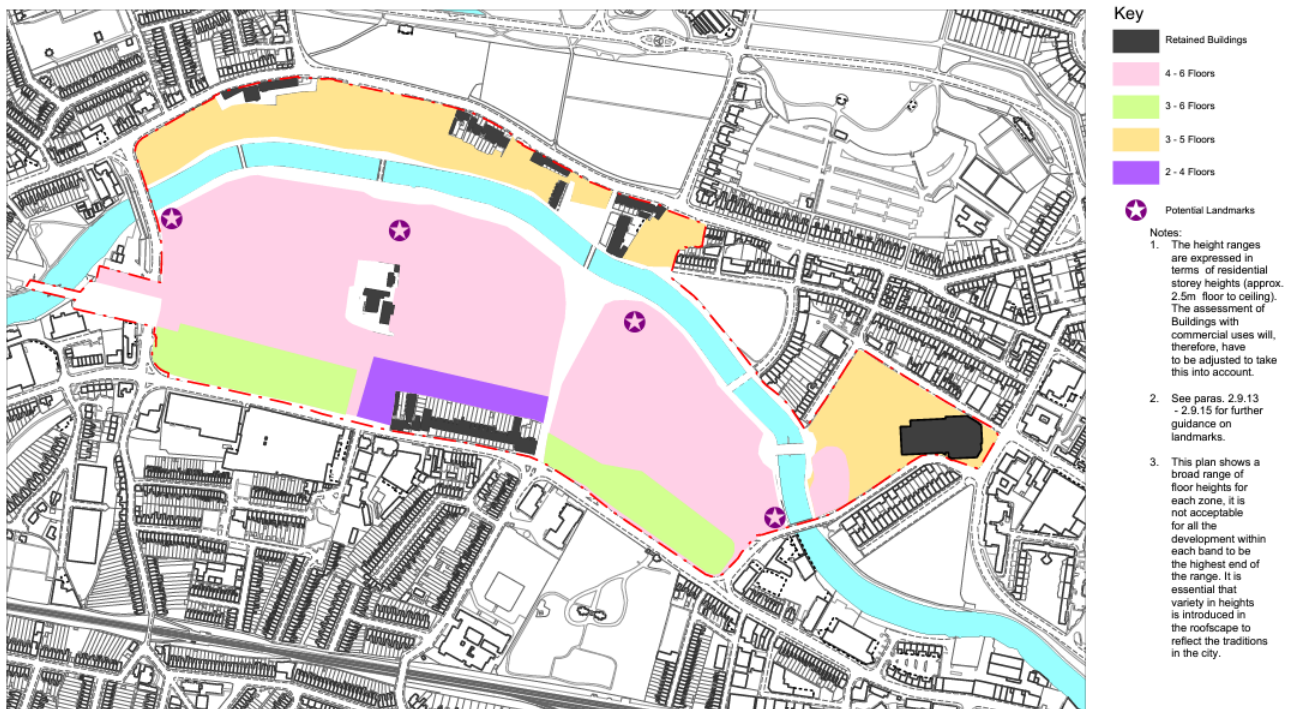


Fig. 1: Western Riverside Spatial Masterplan - Proposed Building Heights

2. Appearance: Bulk & Angularity

At pre-application stage, we highlighted the overly repetitious, rectilinear qualities of the development in layout and building articulation, defined by a grid-style road layout of north-south and east-west routes and sharp 90° building corners. We therefore have concerns regarding the overall severity and angularity of built form and layout across the site, with poor reference to the site's historic built context, such as the softer, curved structures of the gasholders or the gable-ended forms of industrial buildings like the gas retort house.

In particular, views from the riverside highlight the gaunt appearance of Block F and the jarring visual contrast with the rounded elevational treatment of the adjacent 9-storey block at Sovereign Point, one of three intentional "landmark" buildings at Bath Western Riverside (see 14/02005/ERES). We encourage a design that better references the softer, rounded emphasis of the previous structures on the site. This may help alleviate the impression of height.

The polarity in treatment across the riverside elevation is indicative of the lack of a cohesive approach or overarching masterplan for the Western Riverside site, and embodies our concerns with the continued piecemeal nature of development on this site and potential harm to the homogenous appearance of the World Heritage City in wider views.

Whilst Sovereign Point is intended to be exceptional, as a riverside ‘anchor building’, in its 9-storey height, the proposed TVIA visuals show that the 6 storey Blocks C-E read as taller due to the base plinth as part of flood mitigation requirements. Riverside development would therefore encroach on the “landmark” qualities of Sovereign Point, and unacceptably extends the scale of development to a perceived 7 storey height in key riverside views.

As a result, the development would be visually heavy in size, bulk, and massing, resulting in an over-bearing and dominant presence within the townscape. The proposed design, form, and finish does not demonstrably reference or draw from its contextual setting, the result being an ‘anywhere’ design that does not embody any qualities that are distinctively ‘Bath’.

Development would adversely impact the homogenous design and appearance and associated architecture and town planning OUV of the World Heritage Site, contrary to Policies B1, B4, CP6, D1, D2, D3, and HE1 of the Core Strategy and Placemaking Plan.

3. *Appearance: Materials*

We have strong concerns regarding the proposed use of buff brick across prominent elevations and in townscape views, which would be discordant with the material and colour palette of the Bath townscape which may result in an adverse impact on local character and distinctives. The materiality and colour palette are indicated to have been informed by the site’s industrial heritage and the wider site context within the setting of the World Heritage Site. However, the proposed use of a buff-coloured brick does not have a historic precedent within the City and results in an isolated material compromise that fails to appropriately reference either its Georgian or later 19th century heritage context.

The historic townscape of Lower Bristol Road continues to be characterised by a prominent use of Bath stone ashlar/blockwork and rubble stone on street-facing elevations. This is a material treatment that has been reflected and reinforced in large-scale contemporary developments such as Phase 1 of Bath Western Riverside (note that Appendix 1 of the Bath Western Riverside Design Code identifies reconstituted Bath stone and buff brick as unacceptable materials), in relation to the wider material homogeneity of the Bath World Heritage site and the setting of the conservation area.

The prominent use of buff brick would be excessive given the proposed volume and scale of the development blocks, and would result in a visual disconnect with its townscape setting and in cityscape views.

Permitted schemes such as the Dick Lovett and Homebase developments already propose similar volumes of buff brick along the Lower Bristol Road streetscape. However, these are NOT considered to be appropriate design precedents, and are instead indicative of ongoing cumulative harm to the homogenous appearance and integrity OUV of the World Heritage Site.

We recognise a historic precedent for the use of red brick on the original Gasworks site, particularly along the northern site boundary overlooking the river (see 1975 photographs, Bath in Time). Within this context, the use of a red brick on riverside elevations may therefore be considered acceptable in this waterside location where it is demonstrated to align with and draw from the distinctive characteristics of the site's built heritage. A "pale red brick" is proposed across Blocks C-F "in order to integrate with the other tones within the site". This results in a 'washed-out' appearance, incompatible with the bolder engineering red brick historically used on-site, and is concluded to strike a poor compromise between the site's industrial past and the need for a sympathetic material approach within the World Heritage Site.

In this context, the use of a red brick sample closer in tone and finish to examples of previous industrial structures may be more successful and authentic, although further consideration would be needed as to the resulting impact of this material and mortar treatment, within wider, materially homogenous views of Bath.

At this stage, it is unclear as to how the proposed elevational treatment/material selection have been informed by the proposed "modular construction method", and whether this may have placed any restrictions on the range of materials and colour palettes available.

We recommend that further material details and samples are provided for the proposed metal panel cladding to internal elevations and the roofscape. There is a precedent for the use of metal roofing within an industrial context, but we question the use of "complementary tone" metal to match the proposed elevational treatments where there appears to be a lack of consideration as to how the different materials would weather and age against one another.

Townscape, Views and WHS Landscape Setting:

The development as proposed fails to demonstrate a material or architectural relationship with its townscape setting and Bath's wider landscape character. The planned uniformity and regularity of the Georgian City is clearly reinforced by the low-profile scale and terraced form of later 19th century to the north and south. This would consequently be dominated by the further proliferation of high-density, high-rise development at odds with Bath's recognised townscape character and the landscape setting OUV of the World Heritage Site.

We do not agree with the Heritage Statement's summary that "*the sensitivity of the hillside views which are affected is limited because they are not the most significant area of the WHS (i.e. the Georgian city)*"; The World Heritage Site Management Plan indicates that Bath's setting informs the city's compact form and integration of buildings within the landscape "*to achieve picturesque views and forms, which could be seen echoed around Europe particularly in the 19th century.*" The setting of Bath is therefore critical not only as an intentional aspect of how the Georgian City is viewed and experienced, but as part of the city's organic form and layout more indicative of the later "*garden city*" movement.

The development would be extremely prominent in closer-range landscape views from nearby residential streets including St Michael's Road (see Fig. 2 below) and Cork Terrace (see Fig. 3). The cumulative impact of the height, scale, and massing of development would

almost-entirely obscure the open qualities of the World Heritage Site setting and landscape to the south, integrating wooded hillside with the low-profile ‘sprawl’ of Oldfield Park. As such, development would result in a sense of enclosure due to the development’s proximity and scale, and the consequent overbearing prominence of this built feature in southern views. The TVIA concludes that development would “*improve views from within and through [the Brassmill Lane, Locksbrook and Western Riverside area] to the city beyond*” when instead views through the area (focused on viewpoints along the riverside or from the residential streets immediately north of the river) would be dominated and closed in as a result of the overall scale, height, and massing of development (see Views 6-9, 14-15, 19a-19c). The 1-2 storey roofscape would be particularly prominent, and visual impact would not be suitably mitigated by their setback at building shoulder height.

While we recognise that the built-up riverside location of the proposed development site is not of itself “*the most significant area of the WHS*”, this summary does not account for the site’s visibility from a number of key viewpoints within and across the city, including Sham Castle, Widcombe Hill, and Kelston View.

These proposals form part of an increasingly high-density, high-rise area of development to the south of Bath which has already adversely impacted landscape views across the World Heritage Site. In accordance with Historic England guidance, “*where the significance of a heritage asset has been compromised in the past by unsympathetic development affecting its setting, to accord with NPPF policies consideration still needs to be given to whether additional change will further detract from, or can enhance, the significance of the asset*” (The Setting of Heritage Assets). We therefore challenge the conclusions of the TVIA that the impact of the proposed development when considered cumulatively would be “negligible neutral” (Sham Castle, Widcombe Hill, Kelston View) when the collective impact of development, particularly as illustrated in the Sham Castle visual, would be to significantly increase solid roof height and massing at odds with the organic flow of the Georgian City, purposely designed “*to achieve picturesque views and forms*” (World Heritage Site Management Plan 2016-2022).

Development of this height, scale, and massing would contribute to the cumulative, adverse impact on views across the World Heritage Site and associated harm to the City’s landscape setting OUV contrary to Policies B1, BD1, B4, CP6, and HE1 of the Core Strategy and Placemaking Plan.

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Fig. 2: Existing & Proposed Views, St Michael's Road



Fig. 3: Existing and Proposed Views, Cork Terrace

Ecology and Landscaping

Care is needed to ensure that the landscaping plans are tied into the development as early as possible through to delivery. It is important that the need for future management of the landscaping is part of the design philosophy.

BPT maintains strong concerns regarding the ecological and landscape approach across the site. The D&A Statement (Part 7) indicates the opportunity “to *enhance existing ecology, increase biodiversity and create a new natural amenity destination for the residents and the public*” along the river edge, with proposals including “*river edge planted with native vegetation for enhanced biodiversity and screening.*” This is intended to contribute to the indicated overall biodiversity net gain of 14% (Defra Metric).

However, we question whether the proposed clearance of the site of all existing trees and planting is compatible with the indicated biodiversity net gain of the site and whether this has been appropriately accounted for in calculations. It is unclear as to how this offset balance has been reached as relative disparity in species richness and ecological and carbon benefit between older, established trees and newer saplings does not appear to have been considered. As such we maintain that soft landscaping should be appropriately proportional to ensure that the ecological loss resulting from the proposed site clearance is appropriately balanced against new planting.

Given the site’s location within Flood Zones 2 & 3, there may be a requirement for more robust, flood-resistant planting to ensure the long-term success of green spaces within this sensitive riverside area. As part of this application there does not appear to be any further details as to how flood impact would be mitigated/resisted from this perspective.

Amenity Space

We have further concerns regarding the lack of detail as to the public amenity and accessibility of green spaces and facilities as part of the development. Within the D&A Statement (Part 7), it is indicated that a large proportion of green space and associated “play elements” would be allocated as residential gardens and as such would not be publicly accessible, or accessible between buildings/residents unless otherwise specified. There remains a question as to the permeability of green space and the provision of “*adequate and usable private or communal amenity space and defensible space*” for all residents in accordance with Policy D6 of the Core Strategy and Placemaking Plan. This remains a priority when considering the as-yet unspecified allocation of affordable housing, as well as the somewhat unbalanced provision of green space across the site (note that Block G remains relatively ‘landlocked’ with poor amenity space provision for future residents).

BPT estimates that the site would provide approximately 26.8sqm of green space per dwelling and 11.7sqm of green space per person (based on application’s estimate of 2.3 persons per dwelling). However, based on the proposed provision of 5005sqm of private/residential amenity space, this allocation would reduce to just 8.1sqm of green space per dwelling. It is vital to ensure that the provision of outdoor space, both public and private, is suitably balanced against the proposed density, massing, scale, and layout of built development to mitigate the potential for overdevelopment and ensure that green space allocation is proportional to housing density. Further information is also required as

to the usability of the proposed residential gardens; where these are hemmed in by 5 storey blocks, there may be risk of overshadowing and limited outlook that make these spaces less inviting.

Sustainability

We emphasise the need for the delivery of high performance, sustainable housing to meet B&NES net zero objectives. We encourage implementation of 'fabric first' and passive house principles to ensure dwellings are futureproofed against the effects of climate change including intense weather events and temperature changes (eg. overheating). Considering the scale of this brownfield site and its proposed residential density, there is a significant opportunity to go above and beyond carbon reduction targets as an exemplary demonstration of low carbon/zero carbon housing. We strongly recommend that energy efficiency and thermal performance targets are aligned with upcoming policy in the Local Plan Partial Update (SCR6 & SCR7) to better address current and predicted climate priorities.

We emphasise the importance of maximising on-site energy generation to meet increased demand. We are supportive of the proposed inclusion of a water source heat pump but consider the opportunity has been missed to fully integrate PV panels into this contemporary roofscape. As currently proposed, only 3% of operational energy usage would be met with solar PVs, with minimal further information regarding the proposed location or volume of PVs. Where panels are sympathetic with wider townscape and landscape views and meet local policy suggestions in terms of design and finish, we consider that there is much greater scope for PV installation as part of this development.

Considering the site's close pedestrian proximity to the city centre with good links to public transport (including bus stops along Lower Bristol Road and a 7-minute walk to Oldfield Park train station), we question the allocation of a significant amount of floor space to provide 234 residents' parking spaces. A further reduction could be considered to minimise the dependency and dominance of car usage on this site and allow for a more appropriate balance of parking and green amenity space for residents, as well as the potential for the development of a low-car or car-free scheme.

Conclusion

The development, by virtue of its excessive scale, height, and massing, would constitute overdevelopment of the site. The inappropriate form and appearance would fail to strengthen sense of place and local distinctiveness, nor significantly enhance the character and quality of place, and would not help to raise the standard of design more generally in the area.

The excessive use of inappropriate brick materials, form, height variation, and roof articulation, would result in cumulative harm to Bath's townscape character, harm to the views in and across the World Heritage site, and would adversely affect the setting of the Bath conservation area.

We therefore consider that the proposals would result in a degree of harm to the Outstanding Universal Value of the World Heritage Site.

Proposals would include the unjustified total loss of a NDHA and its associated significance.

The application it is current from does not demonstrate the sufficient benefits of well-designed placemaking, housing and sustainable development to outweigh this harm, and it is harm that can and should be mitigated by further modifications.

This proposal is therefore considered 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. Noting that in accordance with the NPPF development which fails to reflect local design polices and Government guidance on design should be refused.