



BATH PRESERVATION TRUST

Planning Update

December 2021

News this Month

- Launch of B&NES Consultation on Liveable Neighbourhoods - see 1.1
- Public Consultation on Active Travel Schemes to Improve Walking and Cycling Routes in Bath - see 1.2
- Report published on the initial results of the Bath Clean Air Zone - see 1.6
- Revised Purpose-Built Student Accommodation scheme at the Scala site permitted at Planning Committee - see 2.2
- BPT opposes proposed residential development of Green Belt site on Deadmill Lane - see 2.3
- Upcoming decision on Bath Quays North at Planning Committee pushed back to New Year - see 2.1
- Belvoir Castle decision quashed at High Court and to return to December Planning Committee - see 2.5
- Application consented for wholesale slimline glazing installation at Grade II 6 Lansdown Place East - see 2.6
- Brownfield Land Release Fund (BLRF) to fund further new homes on UK brownfield sites - see 3.1
- Oxford Street Marks & Spencers Branch Scheduled for Demolition - see 3.4

Publication of BPT's quick guide to cutting carbon in older homes

Bath Preservation Trust has created an online guide to low carbon living for residents of older homes. From using old blankets and duvets to improve loft and underfloor insulation, to harvesting rainwater for outside cleaning jobs, regularly bleeding radiators and adopting carbon cutting behaviours, the guide has plenty of ideas to help reduce energy waste and use in historic properties. With fourteen 'little and low cost' suggestions and sixteen that have no cost at all, the guide also has a further six ideas to inspire Bath residents to reduce their own impact on the environment.

[You can access our latest guidance here.](#)

1. B&NES Consultations and Projects

1.1 Liveable Neighbourhoods Consultation: A public consultation has been released to gather feedback from residents on all 15 areas identified for the first phase of Liveable Neighbourhood measures in Bath. This consultation comes ahead of any initial proposals

for traffic calming or pedestrian/cyclist travel improvements. Comments can be publicly left on an interactive map on the council website to be compiled for analysis in the next phase of the project. Consultation closed on 3rd January but [all consultation comments are available to read on the interactive map.](#)

1.2 Public Consultation on Extension of Milsom Street Bus Gate: A consultation on traffic orders needed to trial an extension of a temporary traffic restriction at Milsom Street in Bath was launched on 26th November. The temporary traffic restriction was originally introduced in June 2020 for social distancing purposes. A further trial of a ‘bus gate’ at the top of Milsom Street is now proposed to test whether the restriction on general through-traffic between 10am and 6pm could work on a permanent basis. An Experimental Traffic Regulation Order (ETRO) was implemented on 25th November and will be in place for a minimum of six months to allow the council to gather data and invite feedback before considering whether to extend the experiment or make the bus gate permanent. [The consultation is due to run until 26th May 2022.](#)

1.3 Public Consultation on Active Travel Schemes to Improve Walking and Cycling Routes in Bath: Two public consultations were launched 2nd December for the implementation of Traffic Regulation Orders (TROs) for active travel schemes along the A4 Upper Bristol Road and A36 Beckford Road. Both schemes are being funded by £500,000 from the Government’s Active Travel Fund to enable more people to walk or cycle for local trips.

- The A4 Upper Bristol Road scheme will see new cycle lanes installed that are separate from motor traffic, between Midland Road and Charlotte Street. Road crossings will also be prioritised for those on foot. We’ll also provide additional bus shelters and cycle parking.
- The A36 Beckford Road scheme proposes a new eastbound cycle lane separated from motor traffic along Beckford Rd, with some on-street parking re-provided nearby. There will also be improvements to road crossings.

Consultation closed on 4th January, but all consultation documents are still available on the B&NES website.

Upper Bristol Road TRO consultation documents: <https://www.bathnes.gov.uk/upper-bristol-road-consultation>

Beckford Road TRO consultation documents: <https://www.bathnes.gov.uk/beckford-road-consultation>

1.4 Bath Union Workhouse Burial Ground: [Led by Bathscape, local residents and volunteers have been working to improve the site of the Bath Union Workhouse Burial Ground in Odd Down](#) with the aim of acknowledging its past and making it more wildlife friendly for the future. Works have included wildflower seeding and bulb planting, with future plans for further tree and shrub planting, as well as the addition of public benches and interpretation boards. A plaque has been erected to the unmarked graves of over 3,100 individuals who died at the workhouse and were buried on the site, and a yew tree has been planted in memorial. Bathscape was awarded £6,800 in CIL funding to deliver the project with the community.

There is ongoing campaigning action on the site of the Grade II workhouse building, now St Martin's Hospital, and its Grade II chapel. Campaigners have identified the site of the original burial ground for approximately 1000 people to the east of the chapel, and wish to protect the existing site from ongoing attempts at development (see application [20/04546/OUT](#)) as an important green amenity space for residents, and a memorial site for historic workhouse residents. There are plans for the installation of interpretation boards and a commemorative plaque to match the plaque that has already been installed by Bathscape.

Wera Hobhouse has met with residents and [launched a petition to preserve St Martin's Burial Ground](#).

1.5 Landlords Urged to Ensure Property Meets Energy Efficiency Standards: [Private sector landlords in the district are being warned to check that their rental property meets the legal minimum energy efficiency standard](#), or they could risk a fine of up to £5000 per property. A new campaign will see trading standards officers and housing services working together to identify domestic properties in B&NES that do not have an Energy Performance Certificate (EPC) of at least band E. A policy for the enforcement of the Energy Efficiency (Private Rented Property in England and Wales) Regulations 2015, which would give the council the power to issue financial penalties is being recommended in a report to Councillor Tim Ball.

1.6 Clean Air Zone (CAZ): [A quarterly report updating on the progress of the CAZ went to cabinet on 16th December](#). An average 14% decrease in nitrogen dioxide emissions has been recorded, although levels of NO₂ at Wells Road, Victoria Buildings, Broad Street, and Chapel Row have increased due to impact on traffic by construction works at Cleveland Bridge. Over 90% of HGVs, coaches, buses and taxis entering the zone are now compliant. Van compliance rates have also seen an upturn and are now approaching 80%. The report also states that of the 2,500 vehicles assessed under the council's financial assistance scheme to replace non-compliant polluting vehicles, 1,495 were found to be eligible. 591 vehicles have already been replaced with hundreds more expected to be upgraded in the coming months.

A further amendment to the CAZ Charging Order 2021 is proposed, so that all Euro VI diesel-powered vehicles exceeding 12 tonnes become chargeable under the scheme. A time-limited exemption is also being proposed to complement existing exemptions for hybrid, electric and alternatively fuelled vehicles. Other options include charging HGVs for using roads outside the CAZ or charging HGVs that cross Cleveland Bridge, although these are concluded to be unviable.

1.7 Bath Area Forum: [You can watch the meeting held 1st December in full on Youtube](#), focusing on 'winter planning' including updates on the Covid and flu vaccines, and increasing pressures on health and social care in the district.

[You can register here to attend the next meeting on 2nd February 2022](#), with a presentation from Youth Connect.

2. Bath Matters, Planning Applications and Developments:

2.1 Bath Quays North: Application [20/04965/ERES](#) for the mixed-use redevelopment of the former Avon Street car park. **UPDATE** - The application is due to go to Planning Committee for a decision on 12th January 2022.

2.2 The Scala: Application [21/04049/FUL](#) for the redevelopment of the Scala site to include the demolition of the 1960s extension and provision of new retail space and purpose-built student accommodation (PBSA). **UPDATE** - The application went to Planning Committee on 17th November 2021. It was recommended to delegate to permit by the planning officer. BPT offered supportive comments on this resubmission in response to the reduced height of the central courtyard block, which was the singular reason for refusal of previous application [20/00552/FUL](#). However, we maintained concerns with the provision of speculative PBSA without justified demand. Councillors felt that development would be an improvement on the existing 1960s extension, but had concerns regarding housing mix and the minimal provision of residential units in comparison to PBSA, and ultimately voted 8-2 to delegate to permit.

2.3 Deadmill Lane: Application [21/04746/OUT](#) for the development of 15 affordable dwellings on a green field site in the Green Belt. **UPDATE** - BPT continues to object to this application on grounds of cumulative harm to the openness of the Green Belt, the setting of the Bath conservation area and the special qualities of the World Heritage Site, and the setting of the Non-Designated Heritage Asset (NDHA) Dead Mill. We maintain that the scheme is very similar to previous refused application [20/00491/OUT](#), and should therefore be refused for the same reasons. [Our objection can be read in full on the BPT website.](#)

2.4 23 Sydney Gardens: Application [21/04318/LBA](#) for a new concrete foundation to the Grade II* balustrade in Sydney Gardens. **UPDATE** - BPT has submitted an objection on grounds of the current inaccuracy of the submitted drawings, and proposed harm to the base plinth of the balustrade. We continue to have strong concerns with the deteriorating condition of the Grade II & II* overbridges and retaining walls associated with the 1840 route of GWR through the park. [Our objection can be read in full on the BPT website.](#)

2.5 Belvoir Castle: Application 18/02500/LBA for the demolition of a skittle alley to the rear of the Grade II Belvoir Castle public house, and the development of 9 apartments, a new community room, provision of new accessible toilets, and the refurbishment of the public house. In 2018, Planning Committee voted against the planning officer's recommendation to refuse the application, instead granting consent. The decision was taken to the High Court and quashed, on grounds that:

- 1) The Committee on behalf of the Council erred in law in failing to provide sufficient reasons for granting permission having departed from the officer's recommendation that the development fails the sequential test in respect to Flood Risk and is further contrary to Placemaking Plan Policy 5.
- 2) The Committee on behalf of the council erred in law having taken into account immaterial considerations in granting permission in respect of the Development, namely the retention of the public house as a result of the same which was not supported by evidence.
- 3) There was procedural unfairness and/or the Council acted irrationally in failing to further consult following the receipt of an updated Ecology Report on or about 13

September 2018 and in respect of which parties not previously notified were likely to be concerned (**the Judge concluded that there was no procedural unfairness on this count**).

- 4) The Committee acting on behalf of the Council acted irrationally in concluding that the public benefits they point to in the minutes of the Committee meeting outweigh the Development Plan and material considerations identified by the Planning Officer in her report to the Committee.

The application is therefore scheduled to go back to Planning Committee on 15th December; BPT will reiterate its original objection to the scheme. Our objection can be read in full on the BPT website: <https://www.bath-preservation-trust.org.uk/planning-application/32-33-victoria-buildings-westmoreland/>

2.6 6 Lansdown Place East: Application [21/01238/LBA](#) for the installation of ‘slimlite’ double glazed windows in a Grade II building. **UPDATE** - This application has been granted consent. The planning officer concluded that “it is not considered that retention of single glazing is necessary for the significance of this listed building.” Design amendments were made including the removal of the proposed timber sill and changes to the proposed fenestration of the dormer windows. The increase in glazing bar thickness was felt to be acceptable given the history of the building; interestingly, the proposal is identified as an opportunity to explore the success of this type of glazing design in an area of extremely limited examples of extensive double glazing across the entire elevation. It is intended that the works will be inspected to understand the potential benefits and level of impact once the windows are installed.

3. National News

3.1 New Homes to be Built as Part of Government Drive to Develop Brownfield Land and Regenerate Communities: [Derelict sites across the country will be transformed into new homes](#) under the Brownfield Land Release Fund (BLRF), a flagship government scheme to regenerate brownfield land, boost local communities and support people onto the property ladder. It was announced on 30th November 2021 that a further £11 million from the BLRF will be used to support 23 redevelopment schemes across 15 councils. Funding allocated from the BLRF so far will release land for more than 6,800 homes by March 2024 and create more than 21,000 jobs in the housing and construction sectors and wider economy as part of the government’s mission to level up communities across the UK.

3.2 Government Releases Public Consultation on New Energy Efficiency Measures: The Department for Business, Energy & Industrial Strategy (DBEIS) have released their open consultation on proposals to [phase out fossil fuel heating system installations in homes off the gas grid](#). A second consultation has been launched for [similar measures for businesses and public buildings off the gas grid](#).

The proposals include an end to the installation of new fossil fuel heating in homes off the gas grid by 2026, a “heat pump first” approach to replacement heating systems from 2026, and a requirement for high performance systems where heat pumps are not a viable option. In non-domestic buildings, proposals include a “natural replacement cycle” for phasing out fossil fuel systems, a phased approach that targets larger buildings first, and a

“heat pump first” approach to replacement heating systems with an allowance for “low carbon” systems where heat pumps are not a viable option.

Both public consultations close on 12th January.

3.3 Mandatory Installation of EV Charging Points in New Homes & Buildings: From 22nd November 2021, [new legislation enforced by Building Regulations](#) means that new homes and non-residential buildings, as well as those undergoing major renovation, will be required to install electric vehicle charge points. It is estimated that this could result in up to 145,000 extra charge points installed across England each year. Buildings undergoing significant alterations which would leave them with over 10 parking spaces will also be required to install electric vehicle charge points.

3.4 Oxford Street Marks & Spencers Branch Scheduled for Demolition: [Plans for the demolition of the 1930s department store on Oxford Street](#) to allow for mixed-use office and retail development were approved at a meeting of Westminster Council’s Planning Committee on 23rd November 2021. Proposals will see the existing 5 storey store replaced with a new 9 storey dwelling, following claims that the existing building is hugely inefficient and suffers from declining sales due to its poor layout. Significant criticisms have been raised against the scheme and its climate impact due to the release of embodied carbon and generation of further emissions through new materials and construction. There have been calls for the existing building to be retrofitted as a more energy efficient alternative, although Marks & Spencers claims that the new building will be more energy efficient to run and will be able to offset its construction costs after 16 years. A spokesperson said the scheme “will reduce energy demand through effective insulation and includes green roofs and an all-electric heating and cooling system, using ground-source heat-pump technology and power sourced from 100% renewable supplies”.

5.5 Launch of the International Co-Sponsored Meeting on Culture, Heritage, and Climate Change (ICSM CHC): [The first ever meeting between ICOMOS, UNESCO, and the IPCC opened on 6th December and is due to run to 10th December.](#) The ‘groundbreaking meeting’... on incorporating ‘culture and heritage into climate science and research’ marks the first time that an IPCC Co-Sponsored meeting will specifically address culture and heritage.