



# BATH PRESERVATION TRUST

## Planning Update

July 2021

### BPT Events

We are hosting a series of themed walking tours led by volunteers around the city. This walk will introduce the daily routines of the aristocracy, entertainments of the day and a background history to some of the finest Palladian architecture anywhere. Jane Austen fans can see where the iconic author lived and found inspiration for her novels *Persuasion* and *Northanger Abbey*. Certain dates are available from 6<sup>th</sup> July through to 26<sup>th</sup> September. You can book via our website: <https://bath-preservation-trust.merlintickets.co.uk/product/EVE-BPT-WALK>

### News this Month

- Initial consultation on the **revised Sustainable Construction and Retrofitting Supplementary Planning Document (SPD)** - see 1.2
- Initial consultation on the **Milsom Street masterplan** - see 1.3
- **Revised timetable for the Local Development Scheme (LDS)** - see 1.4
- Appeal submitted against refusal of scheme for change of use of **the Mineral Hospital (The Min)** into a hotel - see 2.1
- Consent granted for the change of use of the **Old King Edward's School** into a hotel with ground floor restaurant/bar - see 2.2
- Appeal dismissed for new dwelling on historic woodland site adjacent to **Grade II Lyncombe Court** - see 2.6
- **Future of the Planning System** report published in response to the government's proposed changes to the planning system - see 3.2

### 1. B&NES Consultations and Projects

**1.1 Cleveland Bridge:** The Grade II\* Cleveland Bridge is closed to all traffic from 28<sup>th</sup> June for the next three months for repairs. Motorists will not be able to use the bridge during the closure but it will remain accessible for pedestrians, cyclists and emergency services. Traffic diversion routes are available on the council's [Cleveland Bridge webpage](#).

You can find updates on the scheme via the council website:

<https://beta.bathnes.gov.uk/cleveland-bridge-renovation-project/cleveland-bridge-renovation-project-0>

**1.2 Bath Sustainable Construction & Retrofitting/Historic Buildings SPD Consultation:** B&NES Council presented the draft SPD to stakeholders at a webinar on 17<sup>th</sup> June. The new draft includes a revised format and layout where the two existing SPDs ([Energy Efficiency and Renewable Energy Guidance](#), and [Sustainable Construction and Retrofitting](#)) would be merged into one document. It is also planned to host an interactive, user-friendly version of the SPD on the B&NES website to enable use on laptop, mobile, and tablet devices. The aim of the revised SPD is to improve the accessibility of retrofitting advice and to highlight what works can be done. It was also considered that the SPD could be used to highlight grants and resources available to homeowners.

You can find current advice and available grant and loan schemes on the Energy at Home website, run by B&NES Council: <https://www.energyathome.org.uk/>

The new SPD is due to be adopted by January 2022.

**1.3 Milsom Quarter Masterplan Consultation:** BPT was invited to attend a stakeholder consultation for the Milsom Quarter masterplan on 21st July. The Council is seeking to create a more vibrant and diverse part of the city with a greater balance in the mix of uses, activity and increased residential development, in an area of increasing vacancy and decreased footfall. The masterplan would encompass Milsom Street, John Street, Quiet Street, Green Street, New Bond Street, Old Bond Street, Burton Street, Upper Borough Court, a section of Broad Street, and the Cattle Market. There are additional proposals for public realm enhancements on Milsom Street and Kingsmead Square as part of the High Street Renewal project.

Further information about the masterplan can be accessed here: <https://beta.bathnes.gov.uk/local-plan-core-strategy-and-placemaking-plan-partial-update/milsom-quarter-new-area>

**1.4 Local Plan Partial Update:** Amendments have been made to the B&NES LDS as of 27<sup>th</sup> June. These include an updated timetable for the preparation and consultation of planning policy documents, including the updated Local Plan and Sustainable Construction & Retrofitting SPD.

The following amendments to the schedule have been approved:

- The draft Local Plan is scheduled to be agreed by **July 2021** rather than May 2021. Public consultation is scheduled for **August/September 2021** instead of June /July 2021. Submission is due by **November 2021** instead of August 2021, with adoption by **June/July 2022** instead of March 2022.
- The Sustainable Construction & Retrofitting SPD is to be adopted in **January 2022** rather than May 2022.
- The Spatial Development Strategy milestones are now Draft Plan in **February 2022**, Submission in **Autumn 2022**, Inspector's Report in **Spring 2023**, Adoption in **Autumn 2023**.

You can read the report in full via the council website: <https://democracy.bathnes.gov.uk/mgIssueHistoryHome.aspx?IId=32569&PlanId=788&RPID=32621313>

**1.5 B&NES Climate and Biodiversity Festival 2021:** B&NES have launched a new festival for September to showcase individuals, organisations and businesses that have taken

action to tackle the climate and ecological emergencies. The [B&NES Climate and Biodiversity Festival](#) will run from 13<sup>th</sup> to 26<sup>th</sup> September. It aims to educate and inspire people with existing projects on reducing carbon emissions and improving biodiversity. Communities within B&NES are being encouraged to run their own activities as part of the festival, covering topics such as food, travel, waste, renewable energy, biodiversity, buildings and finance.

The festival will also launch a youth focused theme ‘Young People: What does your zero carbon nature positive 2030 future look like?’

Organisations can register to take part via the [festival website](#) or email [sustainability@bathnes.gov.uk](mailto:sustainability@bathnes.gov.uk)

**1.6 Bath Liveable Neighbourhoods:** Phase One of the Liveable Neighbourhood scheme was approved at cabinet on 23<sup>rd</sup> June. The report recommended approval of an initial 15 schemes in neighbourhoods in Bath, with a provisional fund of £2.2m for development. The Liveable Neighbourhoods project proposes local measures to improve accessibility, prioritise walking and cycling, and reduce the impact of traffic in residential areas. The approved Phase One schemes are:

*Mount Road (Southdown); Great Pulteney Street/St Johns Road area (Bathwick); Whitchurch & Queen Charlton (Publow with Whitchurch and Saltford); Circus/Lower Lansdown/Marlborough Building/Royal Victoria Park/Cork Street area (Kingsmead & Lansdown); Oldfield Lane & First/Second/Third Avenues; Walcot Phase 1: London Road, Snow Hill, Kensington Gardens and adjacent roads (Walcot); Church St & Prior Park Rd (Widcombe & Lyncombe); Chelsea Road (Newbridge); Entry Hill (Widcombe & Lyncombe); Southlands (Weston); Morris Lane/Bannerdown (Bathavon North); New Sydney Place (Bathwick); Edgerton Road/Cotswold Road (Moorlands); Temple Cloud; Lyme Road/Charmouth Road (Newbridge).*

You can read the report via the council website:

<https://democracy.bathnes.gov.uk/ieListDocuments.aspx?CId=122&MId=5971>

**1.7 Bath Rugby Club East Stand:** B&NES Council have issued the following statement on the Bath Rugby Club East Stand on the Recreation Ground:

*Bath & North East Somerset Council is aware that Bath Rugby Club has issued a statement saying that it will not be removing the East Stand over the summer. This would be a clear breach of a planning condition.*

*The council expects all parties, including Bath Rugby Club, to honour the planning commitments they have entered into. The council is very concerned by the club’s approach and is currently considering next steps in response.*

## **2. Bath Matters, Planning Applications and Developments**

**2.1 The Mineral Hospital (The Min):** Applications [21/01752/FUL](#) & [21/01753/LBA](#) for the change of use of the Mineral Hospital to a hotel with a new three storey rear extension.

**UPDATE** - Historic England does not object to the application; they feel that the revised extension design better reflects and enhances the streetscape character of Parsonage

Lane. The removal of the glazed link is felt to be a positive change. Their main concern is the proposed relocation of the Roman mosaic from the lodge building.

The conservation officer has concluded that the improved design of the extension and general conservation benefits of reusing the Min would outweigh the less than substantial harm to a listed building.

There is an appeal against the refusal of earlier applications [19/04933/FUL](#) & [19/04934/LBA](#), also for the change of use of the Mineral Hospital to a hotel.

**2.2 Old King Edward's School:** Applications [21/00695/LBA](#) & [21/00692/VAR](#) for the proposed change of use of the Grade II\* Old King Edward's School from a school to a hotel. **UPDATE** - Application 21/00695/LBA has been granted consent. The case officer concluded that the proposed harm to internal features would be outweighed by the public and heritage benefits of bringing the building back into use after thirty years of vacancy. Application 21/00692/VAR - pending decision.

**2.3 Midford Castle:** Applications [21/01555/FUL](#) & [21/01556/LBA](#) for the construction of a second agricultural barn and solar array on the site of the Grade I Midford Castle and Grade II\* outbuildings. **UPDATE** - The Planning Team's consultation response has recommended refusal on grounds of inappropriate development in the Green Belt without 'very special circumstances'. They concluded that there are other sources of green energy that could be used, which would be less harmful to the Green Belt.

Historic England has also concluded that there are alternative renewable energy sources that have not been considered on the site, such as Ground Source Heat Pumps, which would have a much lower visual impact. They maintain that the proposed barn would be visually intrusive and harm the setting of a group of listed buildings.

**2.4 Friends Meeting House:** Resubmitted applications [21/02980/LBA](#) & [21/02981/AR](#) for signage as part of permitted works for the change of use of the Friends Meeting House to a bookshop. A previous application for new signage was refused at Planning Committee on grounds of being visually excessive and harmful. The Committee had concerns about the painting over of the 'Friends Meeting House' sign. BPT previously opposed the volume and size of signage on the front elevation. The new applications therefore propose to keep the 'Friends Meeting House' sign, and the proposed wall-mounted signs have been reduced in size.

**2.5 Jubilee Centre:** Resubmitted application [21/02354/FUL](#) for redevelopment of mixed-use student accommodation and storage and distribution space on the site of the Hollis Building. BPT objected to a previous refused scheme on grounds of in-principle opposition of PBSA on the site and the excessive height, scale, and massing of the development and harm to the conservation area. We have maintained our objection on the same grounds.

**2.6 Lyncombe Court:** Appeal [APP/F0114/W/21/3267412](#) for refused scheme for the construction of a new 3-bed dwelling on woodland site adjacent to Grade II Lyncombe Court. **UPDATE** - The appeal has been dismissed. The Inspector concluded that the proposal would have a detrimental impact on the Bath and Bradford-on-Avon Bats Special Area of Conservation. It was considered that the proposed management and restoration of

the woodland and path, historically an 18<sup>th</sup> century pleasure garden, would not be a public benefit, as the woodland is currently used as a private garden.

**2.7 Waterworks Cottage:** Application [20/04067/FUL](#) for the development of two dwellings in the garden of the locally listed Waterworks Cottage. **UPDATE** - The application went to Planning Committee on 30<sup>th</sup> June. BPT spoke against the application on grounds of overdevelopment of a garden site, harm to townscape character, and harm to the setting of the Green Belt and AONB. The Committee focused on how the Ecological Management Plan and Ecological Enhancement Plan would be managed and whether they could be guaranteed to be effective. The Committee voted to defer a decision in favour of a site visit. The application will go to Planning Committee on 28<sup>th</sup> July.

**2.8 Land Between 16 And Bypass, London Road West:** Application [21/01336/FUL](#) for the erection of nine dwellings on an undeveloped grassland site adjacent to the bypass. **UPDATE** - The Ecology Team have requested further details regarding possible light spill and the provision of on-site habitat as part of the scheme. Ecology have an in-principle objection on grounds of loss of biodiversity, including B&NES Local Priority Habitat.

**2.9 Green Park Mews:** Application [21/02416/LBA](#) for the roof extension of a Grade II former coach house to convert the first floor loft into a home office space. **UPDATE** - BPT has objected to the loss of the historic roof structure and profile, and harm to the appearance of a pair of listed buildings and the wider character and appearance of the conservation area. We feel the insertion of street-facing roof lights would be visually inappropriate.

**2.10 5G Mast, Locksbrook Road:** Application [21/02310/TEL](#) for the erection of a 20m 5G monopole on Locksbrook Road. **UPDATE** - Prior Approval for installation has been granted. BPT felt that a monopole on this site would be of a lesser visual harm because of its light industrial setting and the proposed 'slimline' design. We maintain the need for a city-wide operations plan or masterplan for upgrades throughout and across Bath to sustain its special interest as a conservation area and World Heritage Site.

### **3. National News**

**3.1 Planning Bill:** An [opposition day debate](#) was held on planning in the House of Commons on 21<sup>st</sup> June, which focused on Local Involvement (developers working with local communities). Sir Edward Leigh proposed a motion for local communities to retain the right to object to individual planning applications.

**3.2 The Future of the Planning System in England:** The Ministry of Housing, Communities & Local Government (MHCLG) has published a report in response to the government's proposed changes to the planning system.

The report considered the following:

- The need for local communities to be able to respond to individual planning applications
- The need to speed up housing delivery following the grant of planning consent.
- The need for more funding, resources and skills in local planning departments.

- Whether the proposed 30-month timescale for the creation of Local Plans would be practical.
- A lack of information regarding collaboration between local authorities.
- Concerns about how the twenty towns and cities proposed for ‘urban uplift’ would deliver on increased housing targets.
- A need for up-to-date evidence to support the proposed national housing target of 300,000 homes annually.
- Concern about the subjective nature of ‘beauty’.
- Better consideration of how changes to the planning system would affect the Green Belt.
- The ‘three areas’ model was not supported.

You can read the report in full via the government website:

<https://committees.parliament.uk/publications/6180/documents/68915/default/>

**3.3 Digital Planning Reform Trial:** MHCLG has funded and launched two council-led trials of digital planning projects:

- [Reducing Invalid Planning Applications \(RIPA\)](#)
- [Back-office Planning Systems \(BoPS\)](#)

The projects are intended to simplify the planning process by walking applicants through the submission process and what type of planning application would be required. This would reduce the number of ‘invalid’ planning applications submitted. The projects would enable easier access to planning data and the more efficient processing of planning applications for both applicants and planning officers.

You can read more about these projects here:

<https://mhclgdigital.blog.gov.uk/2021/06/30/mhclg-launch-two-beta-planning-products/>

**3.4 Revitalising High Streets and Town Centres Statement:** Robert Jenrick made a statement on 1<sup>st</sup> July regarding new Permitted Development (PD) rights for change of use from [Use Class ‘E’](#) to residential without the need for planning permission. Planning permission is still needed for change of use between different residential uses, such as conversion to Houses in Multiple Occupation (HMOs). The aim is to deliver housing on already-developed ‘brownfield sites’, and to reuse vacant high street buildings as new “high street homes”.

Changes are also proposed to the National Planning Policy Framework (NPPF), following public consultation in early 2021. Changes include further restrictions to the use of Article 4 directions, which can be used to take away PD rights in local areas. This restriction is intended to prevent local authorities from suspending this new PD right.

You can read the statement in full via the government website: <https://questions-statements.parliament.uk/written-statements/detail/2021-07-01/hcws145>

You can read the drafted revisions to the NPPF via the government website:

<https://www.gov.uk/government/consultations/national-planning-policy-framework-and-national-model-design-code-consultation-proposals>