



BATH PRESERVATION TRUST

Planning Update

July 2022

News this Month

- BPT publishes official response to the **Milsom Quarter masterplan** - see 1.1
- 2022 Programme Released for **Bathscape Walking Festival** - see 1.4
- Final Chance to respond to the **Kingsmead Square Experimental Traffic Regulation Order (ETRO)** - see 1.5
- Proposals submitted for up to 300 new homes as part of **Sulis Down development** - see 2.1
- Plans to demolish Non-Designated Heritage Asset **Waterworks Cottage** refused for second time - see 2.2
- BPT Responds to Proposals for Agricultural Barn and Polytunnels at Weston Spring Farm - see 2.3
- BPT Supports Proposals for PV Solar Array on Roof of Grade II **Kilowatt House** - see 2.4
- Anticipated Release of Updated Changes to **National Planning Policy Framework** - see 3.1
- Public Inquiry Launched over Proposed Demolition of **Oxford Street M&S Store** - see 3.4

1. B&NES Consultations and Projects

1.1 Milsom Quarter Masterplan: The public consultation on the [Milsom Quarter masterplan](#) has now closed. BPT has submitted its finalised consultation response; whilst we are generally supportive of a masterplan for the area, we maintain there is a need for a city-wide spatial masterplan, rather than considering individual ‘quarters’ in isolation from their context and interconnecting streets and spaces. Our comments cover the following key points:

- The potential for Milsom Street to take on a greater ‘civic’ function and how this sits within the masterplan’s vision.
- Further information regarding details of commercial signage and the public realm approach/treatment of sensitive historic spaces and streetscapes such as Milsom Street. We have concerns regarding the apparent exclusion of John’s Street from public realm improvements when this would form part of the Jolly’s ‘arcade’.
- Current masterplan proposals for the Cattlemarket car park fail to illustrate a locally distinctive or heritage sensitive response to the rhythmic pattern of Walcot Street or wider landscape views.
- Greater emphasis on wayfinding and integration with existing areas for residents and tourists.

- An improved evidence base for the commercial development concept at Broad Street car park, as well as the need for a design approach that is more subservient in scale and massing.
- Greater focus on and understanding of sustainability as a key overarching aspect of the scheme.
- Some concerns regarding the heavy emphasis on ‘fashion-led’ regeneration centred on the Fashion Museum and fashion retail.

[You can read our Milsom Quarter consultation response in full here.](#)

1.2 Local Plan Partial Update (LPPU): The LPPU Hearing Sessions closed on Wednesday 6th July following two weeks of public examination by the Secretary of State. BPT submitted further written statements in relation to the release of land from the Green Belt for MMTI (multi modal transport interchanges), student housing, Sion Hill and embodied carbon. The full statements are available under [Matter 4](#) and [Matter 5](#).

As yet, there is no anticipated date for the Inspector’s decision, but B&NES Council have estimated that the Partial Update could be adopted as early as Summer 2022.

1.3 Climate & Biodiversity Festival 2022: Community groups, organisations and residents are being invited to help shape the programme of events for B&NES Council’s Climate & Biodiversity Festival by organising an activity on the theme of ‘taking action for the climate’. The festival will run during the Great Big Green Week, a nationwide celebration of community action to tackle climate change and protect nature, which takes place from 24th September to 2nd October. [More information is available here.](#)

1.4 Bathscape: [The programme of walks has now been released for Bathscape’s walking festival, running 10th-25th September.](#)

1.5 Kingsmead Square Experimental Traffic Regulation Order (ETRO) Consultation: [It’s your last chance to respond to the public consultation for traffic access restrictions to Kingsmead Square, ahead of the consultation deadline on 27th July.](#) Restrictions were originally implemented between 10am and 6pm to aid social distancing; it is proposed to extend these to between 11am and midnight, to reclaim road space for our phased public realm improvements. The only modes of transport permitted will be walking, cycling, and emergency vehicles. Blue Badge holders can use disabled bays on Westgate Buildings. There are also 4 disabled bays in Kingsmead Square Car Park.

1.6 New Proposals for Englishcombe Lane Tufa Site: B&NES Council has set out to residents its plans for an ecologically-sensitive development site in Englishcombe Lane in Bath. The site previously had planning consent for 37 homes. The proposed scheme would provide nine bungalows and seven apartments for adults with learning difficulties and/or autism. Possible measures to protect the ecology of the area could include a 10m buffer around the tufa site and a bat corridor; alongside protective measures for badgers, reptiles and small mammals. Following ongoing consultation with residents, the council will undertake further work on the scheme including the necessary work before a planning application is submitted next year. [The full press release is available here.](#)

1.7 New Figures Released on Bath’s Clean Air Zone: The latest data released by B&NES Council has shown a 21% reduction in nitrogen dioxide (NO₂) pollution recorded across the

city in 2021 when compared with 2019 (pre-Covid). The introduction of the Clean Air Zone has seen a marked improvement in air quality both inside and outside the zone, as well as improvements in the number of cleaner, compliant vehicles in the city. [All figures can be accessed in the Clean Air Zone Update here.](#)

1.8 Council Introduces Carbon-Saving Resurfacing Process to B&NES: Foambase® is being used by contractors to resurface 10,000m² of the A368 at Chelwood, Compton Dando; it uses up to 50 percent less CO₂ emissions than traditional methods as it is applied cold and recycles the existing aggregate on site, which reduces waste. The new technology is also more cost-effective than traditional methods. It will be the first major foamed bitumen recycling scheme used by the council. [The full press release is available here.](#)

1.9 City Centre Security Measures: Initial utilities work started on Monday 20th June in Burton Street as part of the B&NES Council scheme to install security measures in some Bath city centre streets. Cheap St and Hot Bath Street are due to be temporarily closed for the installation of safety bollards. [Further updates on the progress of project installation and any road closures are available here.](#)

1.10 Update on Bath Bike Park: Updated plans for the proposed bike park at the Entry Hill Golf Course site are being developed by Bristol-based Pedal Progression which were expected to be completed by the end of June. The council has contributed £385,000 capital funding to the project. A full planning application is expected to be submitted Autumn 2022 with the park opening in 2023. [The full press release is available here.](#)

1.11 Cleveland Pools: B&NES Council has approved a £250,000 contribution towards the final stages of the project to restore open-air community swimming at Cleveland Pools in Bath. The pool is scheduled to reopen Summer 2022 for cold water swimming. An application for a floating pontoon with integrated water source heat pump to provide heated water for the pool has now been granted consent (see [21/04819/LBA](#)).

1.12 Bath Area Forum: The previous meeting on 16th June provided a Place Team Update, including major housing/mixed-use developments and public realm projects within the city. [An overview is available here.](#)

[Register in advance for the next meeting on 12th September at 6pm.](#)

2. Bath Matters, Planning Applications and Developments

2.1 Sulis Down: Application [22/02169/EOUT](#) has been submitted for up to 300 new dwellings on the Sulis Down Plateau as part of Phases 3 & 4 of development in this area. Phase 1 is already underway for the development of 171 homes, as permitted in 2019 (see [17/02588/EFUL](#)). The application also includes proposals for the extension of the access road through the site of Sulis Manor, an early 20th century Non-Designated Heritage Asset (NDHA). The scheme is open for public consultation until 7th August; [comments can be submitted via the planning portal.](#)

[BPT originally expressed concerns with “development creep” on this site and associated impact on the Green Belt and setting of the World Heritage Site at pre-](#)

[application stage](#). Our official response will be made available via the planning portal and our website.

2.2 Waterworks Cottage, Fairfield Park: A second application for the demolition of Waterworks Cottage under Permitted Development (PD) rights ([22/02297/DEM](#)) has been refused by the case officer. The grounds of refusal include insufficient provision of details in relation to a Demolition Management Plan and Traffic Management, and insufficient provision of information to assess ecology impact. A bat survey was submitted, but the case officer concluded that this was two years old and therefore out of date and invalid, in line with reasons for refusal raised by BPT.

[BPT has maintained a strong opposition to the unjustified demolition of a NDHA of local importance and has continued to push for the cottage's refurbishment as an attractive family home.](#)

This follows an initial application for demolition under PD rights ([22/01884/DEM](#)), also refused on the same grounds as listed above.

With regard to continued pressure for application of an Article 4 Direction, the conservation officer concluded that “the serving of an Article 4 Direction could not be justified or achieved in the short timescales involved through the current application for Prior Approval.”

2.3 Weston Spring Farm: BPT has responded to application [22/00452/AGRA](#) for the erection of an agricultural building and two polytunnels on a Green Belt field site to the west of Bath. We have emphasised that whilst our intention is not to be obstructive to the use of semi-natural land as a smallholding, but to ensure that buildings and structures that support that use are sensitive to the landscape character of the Green Belt, AONB, and landscape setting of the World Heritage Site. We maintain the need for greater assessment of impact in wider landscape views and how this might be addressed by considering the scale and materials of the proposed barn. [You can read our statement in full here.](#)

2.4 Kilowatt House: Application [22/01713/LBA](#) proposed the installation of 30x freestanding PV panels on the roof of a distinctive, 1930s Grade II listed building in the Bathwick Hill area. This forms part of a recent planning history of energy efficiency retrofits to secure the viable use of the building as a dwelling; application 19/04469/LBA was recently granted consent for the overhaul of the existing, 1970s Crittall-style windows with slimlite double glazed equivalents. BPT supported the principle of PV installation on this building; the use of ballast-mounted PV panels would not require any fixings to the building and as such would be a lighter touch, reversible option. We encouraged consideration of a whole house, ‘fabric first’ approach with possible opportunities for internal insulation where the original internal finishes have already been replaced.

[You can read BPT's response in full here.](#)

2.5 Land to Rear of 43 Upper Oldfield Park: Application [22/01846/FUL](#) has been submitted for the development of the land to the rear of 43 Oldfield Park (now Charters) to provide a 3-bed detached family dwelling. There have been previous refused attempts for the residential development of the site; there is currently an extant permission for the development of a 3-bed dwelling (see [19/04909/FUL](#)). With input from AP&P Committee

members, BPT objected to this application on grounds of overdevelopment of the site due to inadequate provision of outdoor amenity space. Whilst not opposed to the principle of innovative, contemporary design executed to a high quality, there is insufficient justification regarding the 1930s ‘pastiche’ design approach. We maintain strong concerns regarding future pressures on the adjacent tree which is subject to a TPO.

[BPT’s submitted objection is available here.](#)

2.6 Percy Community Centre, New King Street: Revised drawings have been submitted as part of application [19/03337/FUL](#) for the refurbishment of the 1960s Percy Community Centre building. Proposals have taken into account BPT’s previous concerns with the following amendments:

- Omission of the ‘false’ gable ends from the New King Street elevation.
- Reduction in perceived height from New King Street and Monmouth Place to sit more comfortably in its streetscape context.
- Omission of the solid, unbroken enclosure of the rear playing courts as part of the building; this is to remain an obviously external aspect of the scheme enclosed within a copper-coloured aluminium mesh (to contain playing balls, etc).
- Omission of the use of natural timber slats as an elevational treatment; aluminium slats would be used on the proposed gable-ended atrium on the corner of New King Street and Cumberland Row.

BPT continues to welcome the opportunity to refurbish an important community facility. We have welcomed the reduction in height, scale, and massing as well as amendments to the proposed material treatment of the building. We maintained some concerns regarding the proposed design reference for the roof treatment and how this would sit within the established roofscape of the area.

[BPT’s comments are available here.](#)

3. National News

3.1 Levelling Up: UPDATE - The [Levelling Up and Regeneration Bill](#) has passed Second Reading in Parliament and is now moving on to Committee Stage.

[A document is anticipated for release in July 2022 outlining the government’s proposed changes to the NPPF.](#)

3.2 National Highways Required to Reverse Concrete Infilling Works to Victorian Bridge in Cumbria: Eden district council’s planning committee unanimously voted to refuse National Highways (NH) retrospective planning permission for a crude infilling project to the 1864 bridge in Great Musgrave, Cumbria, which was widely condemned as “cultural vandalism”. This was despite a £450,000 sweetener offered by NH to repair other structures on another stretch of disused railway near Great Musgrave if the concrete infill was allowed to remain. The council said it will now serve NH with an enforcement notice to restore the bridge to its previous state.

Hélène Rossiter from NH issued the following statement:

“We have listened to the feedback on this issue and earlier this year amended our processes to ensure full planning permission is sought before carrying out work like this in the future. We will also no longer consider the infilling of any structures as part of our future plans, unless there is absolutely no alternative.”

3.3 Government to Review Holiday Accommodation in England: The government is going to review the effect of short-term holiday lets on communities in England with the intention of improving the holiday letting marketing for those living in popular tourism destinations. The government said it is considering establishing a registration ‘kitemark’ scheme with spot checks for compliance with rules on issues such as gas safety and a single source of guidance setting out the legal requirements for providers. Other measures could include physical checks of premises to make sure regulations in areas, such as including health and safety and noise, are obeyed. [A consultation has been launched asking for evidence of the benefits and challenges of short-term and holiday letting; evidence can be submitted here up until 21st September.](#)

[The government review has been criticised as doing “too little, too late” by Bath’s MP Wera Hobhouse.](#)

3.4 Public Inquiry Launched over Proposed Demolition of Oxford Street M&S Store: Michael Gove, the secretary of state for levelling up, housing and communities, has ordered a public inquiry into the plan to demolish and rebuild the flagship M&S store in Oxford Street, London. Demolition of the early 20th century department store had been permitted, to be replaced with a 10 storey mixed-use building, despite embodied carbon concerns raised by campaigners such as SAVE Britain’s Heritage.