

23/01762/ERE03

**Bath Western Riverside Development Site Phase 2, Windsor Bridge Road,
Twerton, Bath, Bath and North East Somerset**

Erection of up to 351 No. dwellings (Class C3); provision of up to 260sqm dual use flexible space comprising community use (Class F2) and/or commercial use (Class E); and associated demolition, land remediation, drainage, landscaping and access works.

Objection

17th July 2023

The site of proposed development is the old Gasworks site, located within the City of 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 (06/01733/EOUT). The site was in use as the Bath Gasworks by the mid-19th century, although the company was first established around 1818. The site was cleared of buildings associated with the Gasworks post-1975, and the final gasholder was demolished in 2016. The B&NES portion of the site is focused on the former location of Gasholder #5.

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 Bath's 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.

The site is located on the valley floor on the southern side of the World Heritage Site; as part of the Western Riverside masterplan allocation site, it retains clear visibility with wider townscape and landscape views from significant points identified in the City of Bath World Heritage Site Setting, such as Lansdown Crescent, the Approach Golf Course, Sham Castle, Beckford's Tower, and Twerton Roundhill. Views incorporate the "sustainable form" of the city and its interconnected relationship enclosed within the surrounding, undeveloped hills of its landscape setting.

Response Summary

BPT emphasises our in-principle support for the development of the Gasworks site.

We strongly support the redevelopment and regeneration of this significant brownfield site for housing, where 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 both excellent and sustainable in its design, and provide a mix of housing tenure that meets national space standards, and is 'futureproofed' to meet changing use requirements.

Where it is proposed to deliver a low-carbon development using the Passive House Planning Package (PHPP), we strongly support the opportunity for the delivery of a major, low-carbon development by a local authority which has the potential to set a national standard for large-scale energy efficient design, though certainty of this remains dependent on further details being requested by the case officer and made available for the assessment of the proposal.

In summary, BPT has strong concerns regarding the proposed scale, height, and mass of development for which permission is sought, and the resulting cumulative harm to landscape and townscape views across the City of Bath World Heritage Site, and adverse impact to the landscape setting Outstanding Universal Value (OUV) of the City of Bath World Heritage Site.

Public and Community Engagement

Design excellence in placemaking is partly achieved through good community engagement and responding to people's views in the development of plans for "people centred" places where local people will live. The development of plans for this site provided an opportunity for the Local Planning Authority to lead by example and demonstrate high standards of placemaking as a result of public participation in planning. We have seen little evidence of any process of community consultation in the development of these plans.

BPT was invited to view plans at pre-application stage with no opportunity to engage with plan development which had been finalised. Contrary to nearly all other cases of major development within the city by private developers. There is no evidence that insights from local engagement has genuinely shaped this development and there has been a missed opportunity for co-design.

Leaving this process for reserved matters only allows for the community to be involved in what the development will look like in its appearance and misses out fundamental elements of planning. Critically it misses an important opportunity to involve young people in having a say in the types of housing where they will live in the future and serves their needs. With such passive consultation this development fails to represent fairness, inclusivity, and representation, and misses out on the benefits local knowledge and expertise held within the local community could bring. Good community engagement leads to far more successful projects.

In accordance with Section 12 of the NPPF, "effective engagement between applicants, communities, local planning authorities and other interests throughout the process" is identified as a key aspect of achieving well-designed, sustainable development. Section 4 further highlights that "early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality pre-application discussion enables better coordination between public and private resources and improved outcomes for the community." The absence of any evidence of

pre-application engagement with the local community, both from across Bath and immediately adjacent sites such as residents of the Crest Nicholson scheme, therefore demonstrates a potential disconnect between what is needed and what this development will provide, as well as missing the opportunity to enshrine community investment, involvement, and consequently pride, in the development proposals.

Affordable Housing

We recommend that the LPA seeks further clarification in support of these proposals.

Where it is calculated that the scheme would provide an approximate total of 140 affordable housing ‘units’ based on the percentages provided in the affordable housing statement (58x 1-bed, 78x 2-bed, and 4x 3-bed), the development would provide a 40% affordable housing provision and as such would meet the policy requirements of CP9. The provision of 75% social rent would be welcomed where it is presumed that housing would remain within the ownership of B&NES Council and would be retained as affordable ‘in perpetuity’, though we welcome clarification of further details on this management model. Where it is proposed to provide 25% of “intermediate” housing, we strongly recommend that further information is provided as to the definition of this type of housing, whether it would constitute rent or home ownership, and whether it would be truly affordable. Intermediate housing is defined in the 2012 edition of the NPPF as follows (though note that this definition is not included in the most recent 2021 edition):

“Intermediate housing is homes for sale and rent provided at a cost above social rent, but below market levels subject to the criteria in the Affordable Housing definition above. These can include shared equity (shared ownership and equity loans), other low cost homes for sale and intermediate rent, but not affordable rented housing.”

We therefore strongly recommend that further clarification is provided regarding the relationship between intermediate housing and market housing values to clarify the degree of affordability. In the case of the NPPF’s current definition of affordable housing as at least 20% below market rates, in Bath this would still remain unaffordable to a large number of residents within the district given the disproportionate value of the housing market.

We have concerns that affordable housing would be restricted to Blocks B-D, set back along the southern through route, and would largely be excluded from the central Block A. This would preclude availability of the ground/first floor maisonettes, as well as access to the central courtyard (unless access is specifically provided for all residents across the site, which is yet to be indicated). We are further concerned by the statement that “Any affordable housing proposed in Block A will be served from its own separate entrance and stair core to avoid any management complications”, appearing to indicate a segregation between market housing and social housing residents. We emphasise that housing 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.

Where it has been indicated that this application has been “evolved following [...] liaison with St William and their design team”, we continue to raise our previous concerns regarding the apparent lack of affordable housing on the St William Berkeley site, which has not yet been sufficiently addressed. Should the housing provision be considered jointly across both sites, this would comprise an overall affordable provision of 15% and as such would fail to meet the requirements of Policy CP10. Given the indication that this

application and the live application for St William Berkeley will be considered together in relation to their delivery of a crucial allocated site within Bath, as well as the importance of delivering coherent placemaking within this area, we take this opportunity to reiterate that this application would fail to offset the current non-provision on the St William Berkeley site, which needs to be separately specified.

Further detail should be provided regarding B&NES Council's intention to provide "universally affordable" accommodation and how this would be quantified.

Amenity Space & Housing Mix

For this outline planning application, it has been set out that the entire scheme would meet the Nationally Described Space Standards for housing. We are supportive of the principle of meeting this standard to secure sufficient private amenity space for future occupiers. The illustrative apartment layouts as provided within the D&A Statement indicate that Blocks B-D would meet national space standards with the exception of one of the 3-bed apartments in Block B, though the apartments in Blocks C & D would be comparatively smaller with an average size difference of 1-2m². Given the slight disparity identified in apartment size, we caution against an over-reliance on Blocks C & D to provide affordable housing, which should instead be equally distributed across Blocks B-D to ensure a consistent quality of housing - as set out in Policy CP9, "affordable Housing should be integrated within a development and should not be distinguishable from market housing." We note at this stage that the illustrative apartment layouts for Block A do not provide space measurements and we encourage these to be included to confirm the proposed housing units would be standard-compliant.

The mix of housing types and sizes is welcomed to ensure an adequate housing mix across the site, in accordance with Policy CP10, though we maintain that housing mix should be carefully considered alongside affordable housing allocation to ensure that low-income households of varying sizes can be accommodated.

The use of maisonettes at street level is supported where this would introduce a human scale element to the public realm and help to activate the building façade.

The scheme would further provide a large proportion of single aspect homes, despite attempts to introduce additional break-off points and corners to increase opportunities for dual aspect dwellings - this was an element of the St William Berkeley scheme that was challenged in the urban design consultation response. Where a number of single aspect units would be north-facing, these units would have poor access to natural light, as well as frequently being overshadowed by neighbouring blocks, and further consideration as to usability by future residents is strongly recommended. The constrained internal layout of the space, including narrow hallways and circulation cores which would be dependent on artificial lighting, should also be considered when looking at ensuring adequate levels of residential amenity and 'public realm' for those occupying these spaces.

We have concerns regarding the apparently disproportionate allocation of green space across the site, though we recognise there is a balance to be struck between achieving the proposed density of development and the physical constraints of the site. In particular, Blocks B-D would provide a very limited amount of outdoor amenity space for its 92 residents, and would be tightly constrained between the mass of the 4 storey apartment blocks to the north, and the adjacent 5 storey development blocks on the Dick Lovett site to the south. These areas would be at least partially overshadowed during the winter and

spring months (see D&A Statement pp. 65 - 67) and as such may be less inviting spaces for future residents to use. We do not consider that the provision of less amenity space, or amenity space of a lower quality, is considered to be acceptable, particularly where it has been indicated that Blocks B-D would be the focus of on-site affordable housing provision.

Consequently, 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.

There is further limited information regarding the boundary treatment with the Dick Lovett site and how these two separate sites would intersect - the use of a planted boundary such as hedging or integrated trees may help to soften this transitional edge.

Height, Scale, Massing and Layout

We commend efforts to work with St William Berkeley to formulate a more cohesive and well-connected approach to design and placemaking across the Gasworks site. We emphasise the importance of an up-to-date dialogue between the development teams to ensure that a consistent and responsive site-wide approach is maintained throughout the process, particularly where St William Berkeley are due to submit revised proposals. It has already been observed that the delivery of numerous, fragmented development sites along the riverside has resulted in a disconnected mix of building styles and material finishes without consideration of how these developments may inform one another to create a greater, more distinctive sense of place. Both the B&NES and St William Berkeley sites are encouraged to consider how this new development would visually connect with existing housing development, the most prominent being Phase 1 of Western Riverside, whilst also trying to contribute something new.

We note that this outline application does not propose finalised details on the proposed design and appearance of the buildings, where this will be left to a reserved matters application.

1. Height & Scale

We have strong heritage impact concerns arising from the height parameters sought, the associated scale of development, and potential for further cumulative harm to views across the City of Bath World Heritage Site and landscape setting, contrary to B&NES Council’s own guidance on building heights within the City.

We note that in response to the St William Berkeley scheme (see 22/03224/EFUL), consultation responses from B&NES Council including urban design, planning policy, landscape, and conservation, have all highlighted very strong concerns with the “excessive height” of buildings proposed at similar scale. The consultation response from the conservation officer makes particular reference to the Bath Building Height Strategy, and states that “the proposed development is not consistent with this.”

Based on the maximum proposed building heights provided for which permission is sought, the proposed development would be of a matching height to the current St William Berkeley proposals (not accounting for the anticipated revisions which are due to be submitted to the planning portal). The average building shoulder height across Block A would be 40.3m - 40.9m, with an increased shoulder height of 43.3m on the north-western

corner, and a reduced shoulder height of 37.3m across the south-eastern corner. Accounting for the 0.5m land difference between the B&NES and St William Berkeley sites, the average building shoulder heights of the St William Berkeley riverside blocks (Blocks C-E) would be 38.925m, rising to 46.2m on Block F, with an average building shoulder height of 40.18m -40.28m. The prevailing roof height of the B&NES scheme across the central courtyard block would vary around 40m - 46m (average 43m), which would accord with the St William Berkeley average roof height of 42.3m - 45.77m across Blocks A-E, with a maximum height of 49.75m -50m at Block F, again accounting for the 0.5m land difference.

Given the similarity in building heights between the two proposals, we therefore emphasise that there should be a proportionate consideration of the degree of harm to the setting of multiple heritage assets, including the World Heritage Site and its landscape setting, the Bath City-Wide Conservation Area, and the experience of views into and across the Georgian City. Where a number of objections have been raised by B&NES Council to the St William Berkeley scheme, the current scheme as proposed should be consistently reviewed in accordance with local plan policy, and as such should be found to be of an excessive height on the same grounds.

Whilst the Bath Building Heights Strategy is not a statutory planning document, it remains an accepted material consideration as part of the planning balance, as established within the inspector's appeal decision for the Homebase development (see 20/00259/FUL). It remains an integral framework for assessing the height of new development in relation to sustaining the OUV of the City of Bath World Heritage Site. The recommended height of development within Zone 3 is a shoulder height of four storeys with one additional setback storey within the roofscape; "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.

Furthermore, specific reference is made to the Bath Building Heights Strategy in Policy SB8: "Development proposals will [...] not detract from important views over the site including, but not limited to, longer, sweeping views towards the Georgian City and views from historically important viewpoints as set out in the WHS Setting SPD; and should respond appropriately to the general characteristics of buildings heights within the city. An analysis is required to enable an appropriate response and to influence the height, massing and design of buildings. The Bath Building Heights Strategy (BBHS) should be used as part of the evidence base and the starting point for this analysis which must also include a detailed Landscape and Visual Impact Assessment (LVIA)."

Therefore, proposals for a 5-6 storey shoulder height across Block A, with an average height of 7 storeys rising to 8 storeys on the north-western corner, would be contrary to B&NES' recommendations on building heights within the City that are intended to sustain Bath's special character and World Heritage designation: "The height and scale of new development should respect, respond and contribute to the character of Bath, building on its heritage and values associated with it."

The proposed development would therefore be excessive in height and 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 landscape setting OUV of the City of Bath World Heritage Site.

2. Massing & Layout (and Resulting Appearance)

We have strong concerns regarding the proposed ‘landmark’ building on the north-western corner of Block A, and resulting adverse impact on the landscape setting of the World Heritage Site. Whilst we recognise that the building seeks to draw from the historic presence of Gasholder #5 in landscape views (see Image 01), proposals would introduce a permanent and solid built intervention into long-range views across Bath’s townscape. The translucency of the ‘filigree’ framework would be limited where the framework is infilled with a solid residential block. By contrast, the historic gasholder fluctuated between an opaque and transparent structure (as the balloon filled and emptied), affording views through and out to the green hillside to the south. We additionally question the necessity of the increased height of the proposed framework structure a whole storey above the uppermost residential floor. The height of this structure also appears to exceed the proposed floor-to-floor heights of the residential floors below, resulting in a further unjustified increase in height (see Images 02 & 03).

The north-western block would constitute a 9-storey block of a “max. uninhabited height 50.00m”, and as such (accounting for the 0.5 land level difference) would propose an intervention of the same height as Block F on the St William Berkeley site, and would contribute to the cumulative, adverse impact on views across the World Heritage Site and associated harm to the City’s landscape setting OUV without justification OR demonstration of sufficient public benefit to outweigh the proposed degree of harm.



View south along Park Lane - Historical view from 2009 with Gas Holder 3 structure

Image 01 (Design & Access Statement, p.146)



Image 02 (Fig. 86: View 21 - Park Lane Looking South Proposed & Cumulative AVR2)



Image 03 (Illustrative Elevation - Block A)

In terms of indicative design and appearance, the development blocks would be overly horizontal in their emphasis and articulation and we question whether more vertical elements could be introduced to create visual interest and break up the overall development massing. Whilst we note that the design does feature vertical components such as the proposed balconies and use of lattice framework, this does not sufficiently counter the overall horizontal form of the development and results in a mixed elevational treatment that doesn't appear to commit to one or the other.

We encourage opportunities for the design to be more bold and playful in its articulation as well as how it relates to and interacts with its amenity setting. For example, the slight concave angle of the western elevation of Block A could be further exaggerated to better define this area of public realm.

Further in-depth comments regarding the use of materials will be forthcoming pending the later submission of the reserved matters application. At this stage, the general intention to use a material palette that reflects the historic industrial character of the site is recognised and generally supported, though we maintain the proposed materiality of the scheme should also seek to respond to adjoining development sites to ensure a consistent visual transition between sites.

There are limited surviving historic examples of brick within the City, and there are some concerns that the selection of an overly pale buff brick seeking to replicate a Bath stone tone would be inappropriate. BPT has previously questioned the increasing prevalence of brick in new development where this is not felt to be locally responsive, such as the introduction of brick along prominent streetscape elevations. Given the historic context of the B&NES Gasworks site, and its position set back from Lower Bristol Road whilst forming part of a transitional connection with the riverside edge, the use of brick on this particular site is felt to be more acceptable in principle, pending further clarification regarding specific material samples.

The existing variety of brick finishes used in new developments within the riverside area have resulted in a disparate and piecemeal appearance, with no defined material or colour palette that would help to unify this part of the City as a new character area or 'quarter', as well as ensuring a continued visual and architectural relationship in long-range views with the Georgian City. We therefore reiterate that the proposed material finish should be carefully selected with reference to both the modern and historic palette of the riverside area. In association with the neighbouring St William Berkeley site, it would be advantageous to consider a shared design code or pattern book that could set out a harmonious material palette across the site.

At this stage, we also strongly encourage consideration of embodied carbon when selecting materials, as part of the low-carbon strategy across the site. Brick is traditionally a material which generates high carbon emissions as part of the manufacturing process, as well as the process emissions resulting from the production of clay bricks. This would result in a high embodied carbon across a development of this scale. In response to the Climate Emergency and to fully encapsulate the proposed low-carbon credentials of the scheme, options for brick production that consider lower-carbon or carbon-neutral means of production should be explored.

3. Townscape, Views and WHS Landscape Setting

We maintain and reiterate an ongoing issue with the proliferation of high-density, high-rise development to the south of the City, at odds with Bath's recognised townscape character and the landscape setting OUV of the World Heritage Site.

Whilst the development would be positioned behind the riverside blocks of St William Berkeley and as such would benefit from some screening in views to the north, the creeping development height and resulting impact on landscape views are evident in closer-range views from Park Lane and Caledonian Road/Stuart Place. We are therefore surprised that the magnitude of effect has been assessed as "low" and the level of effect as "not significant" where proposals would see the increased obstruction of views out into Bath's rural landscape setting.

There are further concerns that the conclusions made in the TVIA are somewhat reliant on the development as proposed being screened by a mixture of permitted/proposed development, and as such the magnitude of effect being measured as "none". In particular, viewpoints to the north such as St Michael's Road and Cork Terrace are considered to have no resulting change because of the current St William Berkeley proposals, though these have not been granted planning permission, and as yet there is no evidence that buildings of the height currently proposed would be acceptable.

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 on the "wider city" would be "negligible" when the proposed development would further contribute to the high density, large scale cluster of development in the riverside area, and would be cumulatively visible in long-range key views across the city, such as Sham Castle and Kelston View.

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. It would fail to respect, respond and positively contribute to the character of Bath, its heritage and the values associated with it, and important views, and would be contrary to Policies B1, BD1, B4, CP6, and HE1 of the Core Strategy and Placemaking Plan.

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.

Where the site is set back from the riverside Site of Nature Conservation Interest (SNCI) and focused largely around the industrial site of the largest gasholder formerly on the site (Gasholder #5), it is acknowledged that it would likely be of lesser ecological value,

though still located within the Ecological Network. There are positive opportunities for ecological enhancements through green landscaping, planting, and land remediation works. The Biodiversity Net Gain Assessment as submitted demonstrates a 213.49% gain in habitat units, which is supported.

Where it is proposed to fell a total of 14 trees, it is considered necessary to facilitate the proposed footprint of Block A, and would be offset with the planting of 146 new trees across the B&NES site, though their value would be dependent on appropriate planting conditions and their long-term maintenance to ensure they flourish.

Further clarification is required at this stage as to how a unified soft and hard landscaping strategy has been formulated across both the B&NES and St William Berkeley sites to ensure the delivery of a cohesive public realm. There are some ongoing concerns as to the connection between the sites, most notably along Green Way, and how the sense of a continuous space would be sustained without risk of a jarring contrast when moving from one half of the site to the other.

Sustainability

We are supportive of the proposed intention to implement a Passivhaus approach as part of the design proposals, to reduce the carbon costs of constructing a major new development as well as seeking to minimise energy usage and requirements by future occupiers. Where it has been suggested that Passivhaus certification will be explored, we emphasise our support for the delivery of a Local Authority-owned large-scale development that would meet an internationally recognised standard of energy efficient design and construction. This could set an exemplary standard for development both in Bath, and more widely within the UK as a comparative case study for other Local Authorities. To ensure the success of a Passivhaus-informed approach, we maintain that this should be integrated into the scheme at the earliest possible stage of the design process, rather than being left to a Reserved Matters application, where aspects such as scale, massing, layout, and orientation may play a significant role in ensuring adequate passive heat and ventilation gains throughout the development's lifetime.

We are supportive of proposals for the on-site generation of energy to meet residential demand, and encourage this provision to be maximised wherever possible. Where the St William Berkeley site is also looking at generating its own energy on-site through the use of heat pumps (see 22/03224/EFUL), we question whether there could be an opportunity for cross-site collaboration in both the generation and use of green energy.

The proposed integration of PV panels at roof level is supported, but at this stage there is insufficient information regarding the number of panels or where they would be located across the site. Panels should be designed to blend in against and integrate with roofscapes where these may be visible as part of key elevations, particularly where Blocks B-D would utilise a pitched roof form. It is currently unclear as to what percentage of the roofscape would be given over to PV panels, or whether any balance would need to be achieved with any potential roofscape activation such as roof terraces/gardens. At this stage, we consider that there is much greater scope for PV installation as part of this development.

Conclusion

The development, by virtue of its excessive scale, height, and massing, would constitute overdevelopment of the site and would result in adverse impact to the landscape setting of the Bath City-Wide Conservation Area and World Heritage Site, and would fail to maintain the significance, integrity and authenticity of the World Heritage Site.

Proposals would result in a degree of harm to the Outstanding Universal Value of the World Heritage Site. We believe that the public benefits arising from the scheme, primarily affordable housing and adapting to climate change could be achieved without harm. And we encourage the mitigation of any risk of harm to be further negotiated.

The application as submitted would be contrary to B&NES Council's own recommendations as set out in the Bath Building Heights Strategy, and as such would undermine the Local Authority's non-statutory guidance documents and set a harmful precedent for new development within the City.

We conclude that the development proposals remain contrary to the NPPF, and contrary to the Core Strategy & Placemaking Policies B1, B4, DW1, BD1, SB8, CP6, D1, D2, D3, D4, D6, HE1, and CP9.

We recommend that this application is therefore refused on the following grounds:

B1

Policy B1 sets out the spatial strategy for Bath which above all else sets out the intention to sustain and enhance the significance of the city's heritage assets and green infrastructure, to which all following objectives will be considered in relation. Proposals currently fail to demonstrate that designated assets (The Outstanding Universal Value of the City of Bath World Heritage Site and its setting, the Bath conservation area and its setting) associated with the site would be sustained and enhanced.

B4

In accordance with Policy B4, there is a strong presumption against development that would result in harm to the Outstanding Universal Value of the World Heritage Site, its authenticity or integrity, including its setting.

Despite claims of the scheme's "low" magnitude of impact on mid- and long-range townscape views, we maintain that the scale of impact has not been sufficiently assessed where it is evident in visuals that development would exacerbate the cumulative increase in height and density within Bath's townscape setting. Proposals have therefore failed to demonstrate how the overall height and scale of development would be compatible with the special qualities of the immediate, homogenous townscape which forms the World Heritage Site, and within which the Georgian City is experienced.

DW1

The development fails to accord with strategic objectives to promote sustainable development.

6) There continues to be insufficient information to demonstrate that the designated heritage assets associated with the site would be appropriately protected, conserved, and enhanced as part of the development proposals.

BD1

Proposals do not adequately demonstrate how the development's urban design, architectural and landscape approach have been informed by local design values, nor how the height and scale of proposed development has respected, responded and positively contributed to the character of Bath and any important views, contrary to Policy BD1. The height and scale of the proposed development would not respect, respond and positively contribute to the character of Bath, its heritage and the values associated with it, and important views, and would therefore fail to maintain the significance, integrity and authenticity of the World Heritage Site.

CP6

There is insufficient evidence that proposals would protect and enhance the distinctive quality and character of the site's local context, the wider district, or its townscape setting, contrary to Policy CP6. The proposed height, scale, and massing of development, and the cumulative build-up of the site in townscape views, would not enhance the historic environment, and would instead be of detriment to the character and setting of designated heritage assets including the World Heritage Site and its setting, and the Bath City-Wide Conservation Area.

Policy CP6 further sets out the strategy for the historic environment, which includes "producing and promoting guidance that will encourage good practice such as the [...] Bath Building Heights Strategy," but the development would undermine the Strategy's significance as a guidance document by proposing a building height exceeding the established parameters for the local area.

SB8

Development would detract from important views over the site including, but not limited to, longer, sweeping views towards the Georgian City and views from historically important viewpoints as set out in the WHS Setting SPD, contrary to Policy SB8. The proposed building heights across the site would fail to refer to the height parameters set out in the Bath Building Heights Strategy, which Policy SB8 indicates should be used as part of the evidence base. Where development would not respond to the defined building heights across the city, proposals have not demonstrated that they have been suitably informed by a comprehensive understanding of the sensitive heritage and landscape context in which the area sits, including "assessment of the effects of development proposals on the wider City of Bath WHS."

D1

Development would not contribute positively to local distinctiveness, identity and history, nor work with or contribute to the townscape characteristics or views of Bath, contrary to

Policy D1. Development would not work with the landscape structure, nor contribute positively to the characteristics of the settlement.

D2

By virtue of its height, scale, and massing, development would not contribute positively to local character and distinctiveness. Where the height and scale as proposed would fail to positively respond to the site context, in particular the local character, landmarks, building lines, roofscapes, and building forms of Bath as viewed in mid- and long-range cross-city views, we do not consider that the residential density as currently proposed is compatible with the character of the wider area and the townscape setting of the City.

D3

It has not been satisfactorily demonstrated that development would provide continuity of street frontage, particularly in relation to the adjacent St William Berkeley Site. As such, proposals may adversely prejudice existing/future development or compromise adjoining sites, and for development to relate positively to the street, contrary to Policy D3.

D4

There is a lack of transparency at this stage regarding the shared approach to the public realm between the B&NES and St William Berkeley sites, and a resulting risk of a piecemeal, disconnected public realm that would fail to create a smooth transition between sites and a homogenous shared space. It therefore has not been demonstrated that development would enhance and contribute towards the public realm or appropriately respond to its local context, contrary to Policy D4.

D6

Proposals do not suitably demonstrate that they have been considered in relation to securing appropriate levels of amenity for both existing and future occupiers of the site, or provision of adequate and usable private or communal amenity space and defensible space, contrary to Policy D6. In particular, we maintain concerns regarding the lack of outdoor green space, particularly for the residents of Blocks B-D to the south.

HE1

In accordance with Policy HE1, development that has an impact upon a heritage asset is expected to enhance or better reveal its significance and/or setting, and make a positive contribution to its character and appearance. Proposals would fail to sustain or enhance the OUV of the World Heritage Site, and there is insufficient justification to demonstrate how development would contribute to the asset's conservation.

CP9

There is insufficient evidence that affordable housing would be integrated within the development and would not be distinguishable from market housing. Where it has been indicated that affordable housing in Block A would require a separate entrance and stair core from the access provided to market housing units, this would result in the segregation of market and affordable housing residents and a clear distinction drawn between the types of housing provided, contrary to Policy CP9.