



23/03558/EFUL

**Bath Recreation Ground, Pulteney Mews, Bathwick, Bath, Bath and North East Somerset,
BA2 4DS**

10th November 2023

Proposal

Full planning application for demolition of existing Clubhouse, west stand retained wall, and ancillary structures. Removal of all existing temporary structures. Phased comprehensive redevelopment to provide a new sporting, cultural and leisure stadium with hybrid sports pitch, including the retention of and refurbishment and extension to the South Stand, and construction of new permanent North, East and West Stands. Phased construction including the retention and relocation of temporary east stand to facilitate playing of sport during construction. Stadium to include ancillary facilities and structures including changing rooms, flood lights, television screens, scoreboards, camera gantries, media suite, matchday food and beverage outlets and hospitality suites, conference/function/banqueting / hospitality spaces, service and kitchen areas, flexible multi-use areas, offices, storage, plant and substation. Hard and soft landscaping works, flood alleviation works, tree planting, new steps and platform lift, infrastructure works, temporary construction compound and all associated construction works and operations.

Response Summary

Bath Preservation Trust (BPT) supports the principle of contemporary development to provide a new stadium for Bath on the Recreation Ground (the Rec) and recognises the benefit of Rugby to the city and how this further promotes Bath as a destination in addition to heritage. Development on the Rec is a rare and unique opportunity to enhance the city. A high-quality stadium with flexible use and shared, accessible public realm has great potential to enhance and maximise social and cultural value, and wellbeing for Bath's residents and become a positive addition to Bath's urban environment. It is therefore essential that the development of a stadium on the Rec is of a sufficient quality that it futureproofs these aspirations.

We commend the project team at Bath Ruby for their approach to community engagement at all stages of the development process. We recognise that the stadium proposals as submitted have addressed many of our concerns and have improved upon previous designs through the overall reduction of height, however we regret that an opportunity for excellent contemporary architecture has been missed.

We believe that the City of Bath World Heritage Site deserves the very best, high quality urban development that supports its sustainable future. We recognise the aspirations and enormity in the challenge in delivering a high-quality contextual design within the cityscape, and that the stadium design as proposed is an honest reflection of function and affordability. The fundamental challenge for the design team is to deliver against a comprehensive set of constraints that range from functional need to historic context at the two extremes, and the scheme as proposed does not currently do its very best to enhance the latter.

It is with regret that we are unable to support the development as proposed. This response seeks to address areas of the scheme which should be improved, as set out in comments below. We urge the applicants and the Local Planning Authority to address these comments and negotiate further changes. We will review any further amendments and modify our response accordingly.

Assessing the Proposal

The response position has been agreed by BPT's Architecture Planning and Place Committee and Trustees.

Bath Preservation Trust (BPT) has engaged with successive proposals relating to the concept of development of a stadium on The Rec. Our position has always been clear, that the principle is accepted, but 'not at any cost'. BPT has engaged with pre-application consultations as well as those relating to submitted plans and this is done using the same methods as are applied to any other development proposals:

- Independent advisors are engaged and make recommendations about proposals in consideration of local and national planning policy and related guidance. Some BPT Trustees are engaged with this process.
- The recommendations of advisors are compiled and reviewed and are only issued following sign-off at Trustee level.
- In complex or contentious cases, the full Board of Trustees reserves the right to discuss recommendations and agree a position and response. Where a unanimous outcome is not achieved, agreement may be carried by a majority vote.
- A robust Conflicts of Interest process is upheld, both for advisors and Trustees. The Charity Commission has been contacted to assert the management and appropriateness of BPT's approach. Any Trustees or advisors who have declared an interest are not entitled to vote on the response and only the views of unconflicted Trustees and advisors are reflected.
- At no stage in the process do staff seek to influence the outcome and they are not entitled to vote on the response.

UNESCO

At the 45th meeting of the World Heritage Committee, which met in September 2023 in Riyadh, UNESCO issued the following statement in its papers:

"The World Heritage Centre ... in line with Paragraph 174 of the Operational Guidelines transmitted third party information on the planned redevelopment of the Rugby Stadium located in the Bath component to which the State Party replied on 5 May 2023 informing that the proposal will be referred to the World Heritage Centre for technical review by ICOMOS once the relevant project documents are available."

It is expected that this planning application will be subject to further review before an outcome or decision is agreed. **Given the fluid and topical nature of the situation, BPT retains the right to review future information and to alter its position as appropriate in light of change.**

Context – Heritage and Landscape Impact

The Recreation Ground (the Rec) is an area of predominantly green space and sports pitches, located on the flat valley floor to the east of the river Avon, within the 18th Century planned City surrounded by green hillsides, integral to the Outstanding Universal Value of the City of Bath World Heritage Site.

The contextual townscape is of exceptional heritage significance. The Recreation Ground adjoins the Bathwick Estate on its northern side - the largest planned Georgian residential development in Bath. The site is bounded by grade I listed Great Pulteney Street to the north, with Johnstone Street and William Street at right angles terminating on the boundary of the Rec. These Georgian terraces up to four storeys high were laid out between 1788-1808. However, the tendency for the land to flood may have restricted further development on the Rec. Severe flooding was prevented in the 1970s with the construction of the new Pulteney Weir and sluice gate downstream from Robert Adam's grade I listed Pulteney Bridge, which together with the river, are significant features in foreground views towards the Rec from Grand Parade. The tree-lined banks of the River Avon contain the site to the west. The north-eastern fringes of the Rec are characterised by mid-eighteenth-century housing, modern flats on the sites of earlier Victorian villas, and trees along Pulteney Road. The large leisure centre complex and rugby south-stand dominate the southern edge along North Parade. North Parade Bridge and Grade I Pulteney Bridge are important historic features containing the extent and setting of the site.

Bath Abbey (grade I) is a dominant feature of the townscape from within the Recreation ground and in views across the site from grade II listed Darlington Place and Sydney Buildings.

In views across the city from Grand Parade and Terrace Walk the combination of the River, Pulteney Bridge, Recreation Ground, Bathwick Estate, and linear terraces unified by the rising topography and Bath stone and slate roof construction, creates a dramatic urban scene within a backdrop of surrounding wooded slopes, Bath's green setting, hillsides and skyline which defines this unique city context.

The river Avon cuts into the Cotswold plateau through Bath and the AONB designation covers the ridge around the city. The green hillsides to the north and south east of the site reciprocate views of the Recreation Ground within the 18th century city.

The development as proposed by virtue of its siting, design and appearance would result in a degree of adverse impact and harm to the Outstanding Universal Value of the World Heritage Site, the character and appearance of the Bath City Wide Conservation Area, the setting of multiple grade II, II* and I listed buildings, as well as the wider landscape character of the Cotswold Area of Outstanding Natural Beauty. Specifically, in views from Orange Grove, and across the north west corner of the site where there will be a permanent high impact. However, the planning application in its current form does not present adequate information to make a proper assessment of the degree of harm to the significance and special qualities of designated heritage assets and National Landscape, and the appropriateness of mitigation measures.

Bath Preservation Trust (BPT) credits the case for public benefit presented and recognise this goes some way towards outweighing heritage harm. However, it is critical that public benefit is significantly strengthened before harm to heritage assets (the conservation of which must be given great weight in accordance with para 193 of the NPPF) may be considered.

Further work to raise the quality of the public realm and to reduce the adverse impact of the East Stand, the new office building and the night time impact of the west stand is required. This is expanded on below.

West Stand Elevation - Visual Impact and LVIA

The extensive glazed linear façade is at odds with the general building typology of Bath and the night-time impact of this large amount of curtain walling needs to be carefully assessed. We understand that the use of glazing is intended to maximise transparency through enclosed points of the building, but this also presents the visual impact of reflections or sun glare and how this may appear within wider views at certain times of day, as well as the visual impact of light spill on the surrounding townscape when the upper levels are in use. The effects of light/noise spill from the associated restaurant use would be further exacerbated during the winter months. The extent of glazing and horizontal emphasis of the design will appear as a strong top-heavy band of light and has potential to cause excessive harmful light spill within the immediate built context of the City of Bath World Heritage Site, and its wider landscape setting. This would be particularly harmful when seen from the civic setting of Orange Grove and the Abbey, as well Parade Gardens

The proposed restaurant use at the top floor would have very limited public benefit. This use and hours of operation combined with elevational treatment and extensive use of glazing presents the most risk of adverse impact on the character and appearance of the conservation area, World Heritage Site landscape setting, and setting of multiple heritage assets of high significance, as well as the dark skies character of the wider Cotswold National Landscape. It would obscure views through the structure from Grand Parade to Sham Castle. The visual permeability of the top floor was previously presented as a partial solution to visual massing, to provide ‘glimpses’ of distant views and this aspiration would be negated by the proposed use.

We urge the LPA to encourage the submission of further LVIA to demonstrate the impact on the cityscape and Cotswold National Landscape. The LVIA currently illustrates the worst-case scenario of lighting on match days. The standard non-match day scenario needs to be demonstrated to show the everyday, and night time visual impact of the design and lighting, especially in the winter. As well as the everyday/non-match day impact on river corridor ecology. The mitigation of impact also requires clarity to demonstrate and secure that light levels are low and warm and how the risks of adverse impacts are avoided and minimised.

West Stand - Riverside Colonnade and Public Realm

A major public benefit could be a significant improvement to the public realm along the river frontage, which is shamefully poor at the moment. If “great weight” is to be placed on improvements to the public realm, then this aspect of the scheme must be scrutinised very carefully. Most crucially, the long-term maintenance and management regime of this new public space must be clearly agreed between the Council and the Club.

The setting back of the building line allows for the creation of a “permissive” walkway which could have the potential to be a new riverside attraction, given the right kind of active frontage. However,

the retail space in the west stand (walkway) level misses the opportunity to provide an active frontage on non-match days.

We encourage opportunities for the activation of the riverside for a varied mix of uses that can cater to different requirements throughout the day and night and enhance vitality of use for public benefit. We are concerned that limited ancillary retail risks creating dead space and inactivity, especially in the evening. There is a clear balance to be struck to extend the economic area of the city without adversely affecting existing businesses which are at least partially dependent upon secondary spend arising from the stadium.

Pedestrian connections are weak at each end and there would have to be a significant attraction/offer to bring people to the riverside colonnade on non-match days, as most people are seeking a view of the river and the famous weir. We understand the proposed retail offer is modest but it should still seek to connect up with, enhance, and reinforce the established commercial character of Bath's historic centre and the surrounding, interconnected streetscape context of the Rec.

Given the limited retail use and frontage inactivity during evening hours concerns have been expressed as to whether this space may attract anti-social behaviour or be 'off-putting' to pedestrian users. Further information is required as to how this space would be managed outside of opening hours and how the openness of the space would be maintained, including factors such as lighting, active/passive surveillance, the use of on-site security, etc.

We encourage designed in skateboarding structures within the riverside walkway. If the space does not have an active commercial use during the evening perhaps it could be a more playful space that is used, rather than dead space.

Riverside public realm details to be clarified in planning application documents:

- How the flood gates be operated? (not shown)
- Is it to be open 24/7? Will there be security measures?
- How will personal safety be protected, given that the bund will be 1.5m high, and how will vandalism be prevented?
- Will there be an active frontage along here on non-match days/nights?
- On match days, will the general public be prevented from using the walkway?
- Given the intensity of use in the spaces by the radial gate and along the Spring Walk on match days, will the soft landscaping areas, new trees, and the strip of shrubs along the inside of the bund wall shown on the *Detail Plan - Radial Gate* actually survive? Who will maintain them?
- Why are the existing steps retained adjacent to the new path, see *Detail Area – Southern Gate*?
- Will the public realm and lighting improvements fully incorporate the whole riverside promenade area? Lighting Strategy Plan doesn't give much detail.
- Mention is made of public toilets – not shown on plan, who would run these, would they be open 24/7 etc.
- Why do the LVIA's of the embankment views still show the poor-quality existing seats, bins and materials? Will the enhancement scheme include the whole area, which must include the front of the leisure centre, or not?



- *Plan- Detail Area - Radial Gate.* Shows soft landscaping and new trees in an area where there will be intensive activity, not just on match days. Question – will the soft landscaping survive? Who will manage/maintain it? Will the trees survive the construction work and the cutting into the bund?
- *Plan - Detail Area – Southern Gate.* Why are the scruffy steps adjacent to the listed abutment staircase to the bridge being retained? No details of the new glass lift at the Leisure Centre. Will it be open to the public 24/7? Who will run this?

Materials and Detailing

Curtain walling should be as light and as transparent as possible. Most curtain walling is fixed. We understand that the proposed curtain wall glazing is openable which would result in thicker framing. These details and the exact details of openable windows and frame widths need to be shown at large scale.

The internal detail and internal materials of the colonnade requires specifying.

East Stand

The east stand would have a wide impact on public views towards the Abbey from within the Recreation Ground and from a series of points beyond. We encourage the architects to explore any further potential to lower the height. Whilst the intention behind the proposed use of green walls on this elevation is clear, the design approach feels blank and detached from context and would benefit from further refinement and detailing. In addition, the proposed green wall requires a robust management plan to be secured by Condition of any consent.

An additional view from Darlington Place is required in support of the LVIA.

North West Corner

There is a discordant relationship between the new office building and the main stadium. The structure of the stadium roof should be the stronger element. Views through the stadium to hills beyond are going to be key to enhancing this setting – the bulk and roof form of the office building partially blocks the views. We would encourage the office function to be included in the main stadium building.

Advertising

It is essential that all advertising (specifically signage at the north west corner and adverts within the colonnade, but also in and on the buildings and structures) to be integrated into the design of the stadium to allow for a proper assessment of the impact. The omission of the extent, amount and type (static, non-static, etc) of advertising poses a substantial risk to townscape character, visual and residential amenity value, the significance of heritage assets and character and appearance of the conservation area. This is especially important as some advertisements within the grounds or

buildings, may not require the benefit of Advertisement Regulations consent. We would urge the LPA to consider either appropriate conditions or an Area of Special Control, or both.

Conclusion

Further work is necessary to demonstrate enhanced design quality, a reduced impact on townscape character and views, including Orange Grove, Grand Parade, the Recreation Ground and Pulteney Road, and further improvements to the Riverside public realm. We remain to be convinced that the public benefits of the scheme (specifically the riverside public realm) is sufficient to outweigh a degree of harm to multiple heritage assets, character and appearance of the conservation area, and Outstanding Universal Value of the World Heritage Site.

We encourage further amendments and supporting documentation to address these concerns and demonstrate compliance with the following B&NES Local Plan, Core Strategy and Placemaking Plan policies.

DW1 Protecting, conserving and enhancing the District's nationally and locally important cultural and heritage assets;

CP6 Environmental Quality

D1 General Urban Design Principles

D2 Local Character and Distinctiveness

D3 Urban Fabric

D5 Building Design

D6 Amenity

D8 Lighting

HE1 Historic Environment

NE2 Conserving and Enhancing the Landscape and Landscape Character

B1 Bath Spatial Strategy, Natural and Built Environment and Public Realm

B4 World Heritage Site and it's Setting

BD1 Bath Design Policy

SB2 Central Riverside and Recreation Ground

The application will not be supported and should not be approved until these matters, questions and concerns and points of policy compliance are addressed.