

DELEGATED REPORT

Application No: 11/02753/LBA

Case Officer: Geoff Webber

Details of location and proposal and Relevant History:

Bath Spa Railway Station, Dorchester Street, Bath, BA1 1SU,

Bath Spa railway Station is a 2* Listed Building and represents an important part of Brunel's legacy in the Great Western Railway network

This proposal is for the insertion of a service lift into the roof of one of the series of finger vaults that are being exposed and brought forward for commercial use as part of the Southgate redevelopment scheme (which also includes the railway station and the new bus station). Planning permission and listed building consent for the overall scheme was granted in 2003, and there have been astonishingly few amendments to that scheme in the subsequent years.

The permitted scheme is now almost complete, and the removal of the ramp adjoining the station in order to open up the opportunity to create a public plaza linking the rail and bus stations with the rest of the development and the city centre is virtually the last phase of site works.

The permitted scheme includes a restaurant unit at first floor (railway platform) level, accessed from the new plaza by a lift and stairs at its eastern end - nearest the plaza. There is no separate service access to the restaurant, and the developers have now sought consent for a service lift to fulfil that function. The lift would descend from the restaurant into one of the vaults below, allowing delivery access from the service area to the south of the station complex. The developers have pointed out that customers having to share a lift with deliveries of food or waste and refuse being taken away falls well short of the reasonable expectations of likely occupiers.

In addition, using the public access lift for servicing purposes would tend to encourage delivery and collection parking taking place in Dorchester Street, which would be seriously prejudicial to the free flow of traffic in a street already congested and struggling to deal with the demands placed on it. Whilst this is not a listed building consideration, it is a practical matter that leads me to the conclusion that had a service lift in this proposed location been designed into the originally submitted scheme, then it would have been approved.

Summary of Consultation/Representations:

The Historic Environment team has advised that the additional lift represents a significant additional intrusion into the listed fabric of these important structures, and that there should be a greater focus on securing heritage enhancements that would counter the alteration. On its own, the lift is considered to be unacceptable.

English Heritage take a somewhat more pragmatic view, agreeing that the lift needs to be considered in the context of the entire scheme rather than as an alteration that should be considered only on its own merits. EH pointed out during discussions on site that the fact that this vault is one of a number is of significance, because it means that most of the vault structures are being left intact. However, EH agree that there needs to be a greater focus on securing counter-balancing heritage enhancements. EH also query whether the public lift and stairs structure could be redesigned in order to include a service lift.

Two objections have been received. These both express disappointment that the additional service proposal has come forward separately rather than being thought through in the overall context of the redevelopment scheme. Bath Heritage watchdog sets out detailed objections, arguing that the works, by virtue of the loss of original Grade II* listed historic fabric, the adverse impact on the special architectural interest and character of the listed vault without sufficient justification is contrary to S16 of the Planning (Listed Buildings & Conservation Areas) Act 1990, PPS5: Planning for the Historic Environment HE9.1, HE9.2, HE9.3, HE9.4 and HE10.1 and Local Plan Policies BH1 and BH2 and should be refused. The contention is that the proposed lift would constitute serious harm to the listed structure, and has not been justified as required by PPS5.

Policies/Legislation:

PPS5: Planning for the Historic Environment - this sets out national guidance and policy in respect of alterations to listed buildings.

Local Plan Policies BH1 and BH2 seek to safeguard listed buildings and their settings from harm caused by development proposals.

Officer Assessment:

Careful consideration has been given to this proposal, which represents a significant "local" removal of listed fabric, but which forms a tiny part of the overall regeneration scheme of which the works to the railway station are an important part.

There is no doubt in my mind that had this lift been included in the originally-submitted scheme then it would have been approved - the overall impacts of the regeneration proposals on the listed fabric of the railway station.

It is always tempting to focus closely on an amendment to an already approved (and in this case mostly implemented) scheme, but that is to distort the significance of one detail without paying sufficient attention to the overall context. The finger vault which will be affected is one of a number, and this is clearly seen as significant by EH. EH in fact encourage a balanced approach to the consideration and determination of the application, seeking greater counter-balancing heritage enhancements so that the overall effect on the special character of the railway station and its associated structures and setting remains at worst neutral or is even improved. EH do not wish to be involved further.

I feel that the way forward is to use a "Planning-style" Grampian condition to require the developers to bring forward heritage additional enhancements to balance against the additional harm they are proposing to the listed structure. This is clearly not what the objectors seek, but the public benefits of the SouthGate scheme as a whole demand that the current proposal is properly seen in a wider context than that afforded by the focus of the current application. This balance approach will bring the decision to grant consent in line with Government policy, and will address the concerns raised by our own conservation specialists and by EH. The Condition trigger should be occupation, in order to allow an opportunity for discussion and negotiation whilst the works proceed. It is essential that a proportionate approach is adopted in due course to the discharge of the Condition.

Recommendation:

CONSENT

1 The works hereby approved shall be begun before the expiration of three years from the date of this consent

Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

2 Unless otherwise agreed in writing by the local planning authority, the restaurant and retail units associated with the Brunel Vaults shall not be brought into use or otherwise occupied until the applicant, or their agents or successors in title have: (a) assessed the potential for the display or reinstatement of any significant heritage assets removed or disturbed within the Brunel Vaults development area, (b) prepared a scheme of heritage enhancement works, which must be submitted to and approved in writing by the Local Planning Authority, and (c) carried out and completed the heritage enhancement works in accordance with the approved scheme.

Reason: The local planning authority wishes to ensure that there is an appropriate heritage gain within this part of the overall development, to compensate for the additional loss of historic fabric within the finger vault.

3 No works shall commence until the Local Planning Authority has first approved in writing details of a programme of access which will be afforded to a named archaeologist to observe and record those parts of the building which are likely to be disturbed or concealed in the course of redevelopment. The approved archaeologist shall thereafter be allowed access in accordance with the details so approved.

Reason: To ensure that features of archaeological or architectural importance within the building are recorded before their destruction, refurbishment or concealment.

4 The development/works hereby permitted shall only be implemented in accordance with the plans as set out in the plans list below.

Reason: To define the terms and extent of the permission.

PLANS LIST:

This decision relates to the following plans and documents:
437/100J; 437/200Q; 437/202/2; 437/401N; 437/466; 437/540H; 437/560N; 3824/S01; 3824/S20/2 and Historic Building and Archaeology Assessment, all received on 17th November 2010.

The local planning authority anticipates that the recording programme required by Condition 3 will be undertaken in close association with and with identical methodology to the recording already undertaken in connection with the listed building consent for the overall Southgate scheme.

REASON FOR GRANTING CONSENT

The local planning authority is satisfied that the proposed works have only a small additional impact upon the special character and appearance of the Grade 2_ listed Bath Spa railway Station, and that the securing by means of an appropriate Condition of additional heritage benefits will mean that overall the proposed works will on balance preserve or enhance the heritage asset. This approach has had regard to the provisions of PPS5 - Planning for the Historic Environment, relevant Local Plan Policies, and the advice of English Heritage, and has also taken into account all other representations made in respect of this application.