



Bath Heritage Watchdog

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APPLICATION NUMBER: 17/05052/FUL

ADDRESS: 36 Moorland Road, Bath

PROPOSAL: Construction of timber frame roof between existing double toilet block and single toilet block located at rear of property, waterproof flat roof with membrane skin. Replace existing felt roof. Installation of UPVC between toilet block and UPVC grille. Locate air conditioning and cold room condensers. Replace shopfront with x4 Bi-folding window and door.

CASE OFFICER: Emma Hardy

DATE: 2 November 2017

COMMENT: OBJECTION

Bath Heritage Watchdog objects to this application.

We note that despite the pre-application advice that change of use could form part of the application, the applicant has not asked for this. It would appear that the takeaway/café chain Subway is the proposed tenant, which requires a change of use from retail. Such an application is necessary because Subway is a food business and the Internal Plans show the intention to install tables and chairs inside the property which requires a change of use to Use Category A3: *“Use for the sale of food or drink for consumption on the premises or of hot food for consumption off the premises”*. Any food, hot or cold, consumed on the premises requires prior permission for change of use despite the attempt to downplay this by the “Sandwich Shop” description on the application.

We object to this change of use. Policy CP12 emphasises the need to maintain the retail function of the Moorland Road District Centre and to have new developments integrate into the pattern of the centre. There is already some loss of the retail function with the recent permissions for Fire and Brew (replacing a Party shop), Dominos (replacing a bakers) and the extension of Velo Lounge in the premises next door to their original outlet (formerly a Building Society); these alongside the older permissions for a Chinese takeaway, an Indian restaurant a Fish & Chip shop, a cafe and Greggs. Bearing in mind the concern for the retail viability of Moorland Road when considering the designs for the Bath Press Site, it is necessary to also protect the retail function from piecemeal erosion from within the District Centre itself.

Looking along Moorland road, all the retail premises have stall risers of some description below the windows. This application would be the first to fail to fit that pattern of the centre.

When determining all applications for new shopfronts and signage we ask that the following guidelines are observed.

The context, or general setting, of Bath should be understood, respected and reflected in any proposed work to shopfronts.

Design, materials and workmanship should be of the highest quality.

Any proposed or altered shopfront should be historically credible.

House styles which do not meet the requirements of style, lettering, materials and signs are not acceptable. Multiples should be required to adapt their proposals to the special conditions of the city.

Standard designs of any sort are not acceptable. They should be specifically designed for their context.

Other Subway branches in Bath have been successfully set up without major alterations to the frontage of the premises occupied, so there is no reason to suppose that Moorland Road should be an exception. We note that no existing elevations have been provided so we took our own photo.



We appreciate that the existing shopfront is not of great age and is not listed. However it is traditional in design, with the curved glass a particularly attractive feature, and is fitting for the locality. That proposed is not typical of the area and is undesirable. There is no justification for this change. Also the proposed bi folding doors are only suitable for A3 businesses, which would make future reversion to A1 use problematic if this branch of Subway should relocate or cease trading.

The other issue to be considered is the amenity of the local residents. Several of the premises in Moorland Road have residences above the shops, and these residents need to be able to sleep with windows open in hot weather. The specific request “*Please consider any ventilation systems that may be required as this could impact on neighbours*” has been ignored. Despite the pre-application advice emphasising that in order to be validated the Ventilation and Extraction Statement must be provided: “*Details of the position and design of ventilation and extraction equipment, and technical specification including noise generated and mitigation and odour abatement techniques. Elevation drawings show the size, location, and external appearance of plant and equipment will be required*”, there is no such information.

It is important to assess the cumulative effect of such plant. The Co-operative “Scala” has installed air conditioning condensers at ground level against an acoustically reflective wall thus directing its sound towards Moorland Road. The recently opened Dominos has installed its condensers at first floor level with the sound directed by an acoustically reflective wall along Moorland Road towards this application site.

Now this application seeks to install two sets of condensers (one for the business air conditioning and one for the cold room) at the rear of the premises to add to the ambient noise level. Therefore, it is not just the noise levels of the proposed condenser units that has to be considered, it is their noise levels in addition to the ambient noise, which in total will affect the local residents most of whom sleep at the rear of their accommodation to be away from the traffic noise of the street to the front.

SUMMARY

The works, by virtue of the detrimental impact the proposals would have on this primary shopping area are contrary to the NPPF and policies DW1, CP6, CP12, D1, D2, D3, D5, D10 and CR3 of the Core Strategy and Placemaking Plan and should be refused.

If despite our objections above there is an inclination to grant planning permission, a decision should not be made until the complete Ventilation and Extraction Statement has been provided; and any permission should be accompanied by a Condition that no work can start until planning permission for the change of use is granted.