



Bath Heritage Watchdog

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APPLICATION NUMBER: 17/06227/ODCOU

ADDRESS: Riverside Court, Westmoreland, Bath

PROPOSAL: Prior approval request for change of use of the upper two floors in each building from offices (Use Class B1a) to dwellinghouses (Use Class C3) (27no. flats).

CASE OFFICER: Chris Griggs-Trevarthen

DATE: 21 January 2018

COMMENT: OBJECTION

Bath Heritage Watchdog objects to this application, and notes that the Permitted Development Rights, according to the Planning Statement, are “in accordance with Class O of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2015”. Having examined the referenced document, it does not mention “Class O”. No doubt there is an appropriate document among the 70 covering England listed as “General Permitted Development” on the Legislation website, but the one quoted is incorrect.

The previous application 15/05478/ODCOU was refused on the grounds of risk of flooding, and this application argues that the flood protection scheme currently being constructed will remove the risk of river flooding once it is completed. We have some doubts that the work will be as effective as been assumed, because although widening the river route increases the storage capacity between two pinch points (Churchill Bridge and Twerton Lock), it is the depth of the water-course not the width which determines peak flow capacity. Nevertheless, the Environment Agency, despite their submitted reservations, have not specifically objected to the application so we have to assume that for this application site there is sufficient protection from river flooding once the protection scheme is completed (but not before then).

However, insignificantly placed in the documentation is the admission that the Lower Bristol Road is prone to flooding from rainwater run-off as a 1 in 30 year event, and the effect of the flood protection scheme is to ensure that any excess water south of the barrier is as unable to access the river as the river is to access the application site. The pumps on the Lower Bristol Road side are described as assisting the flow of sewage and they will not deal adequately with torrential rain cascading down the southern slopes and emerging alongside the Green Park Tavern and directly opposite the only access road to the application site, particularly in

the autumn (the time of increased risk of flooding) when fallen leaves will be carried by the flood to block drains. During those events, residents in the proposed housing will have to be trapped inside or tackle deep water, and those outside will be unable to get to their homes without tackling the same deep water.

We also have to question the wisdom of removing office accommodation despite there being a need for additional housing. On another planning application we found a detailed criticism by Planning Policy of the intention there to remove employment accommodation:

Policy B1 plans for a contraction in the demand for industrial floorspace. It facilitates a managed reduction and the Placemaking Plan allocates some industrial land for other uses, such as the Bath Press site, which is the primary means by which the contraction is 'planned'. The Policy does not mean that all proposals resulting in a loss of industrial floor space will be supported in principle. Proposals for the loss of industrial land and floorspace will be judged against the extent of positive and negative progress being made in achieving this managed reduction in floorspace on the scale sought by Core Strategy Policy B1 and site allocations.

The monitoring evidence shows that through Placemaking Plan allocations and other losses from granted planning permissions, the planned contraction is already exceeded. (Please see the comments from Economic Development). Therefore, a proposal that would further restrict the supply of B1c/ B2 or B8 accommodation in the city would not be supported and is considered contrary to Core Strategy policy B1. The proposed development resulting in further loss of employment land and diminishing the flexibility afforded is contrary to Policy B3.

If that criticism is appropriate a little further along the Lower Bristol Road, it must also be appropriate for this application site.

The flood risk from surface water run-off and the policies quoted above both indicate that this application should be refused.