



## Bath Heritage Watchdog

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APPLICATION NUMBER: 18/02499/FUL

ADDRESS: Belvoir Castle, 32-33 Victoria Buildings

PROPOSAL: Provision of new skittle alley, a new community room, provision of new accessible toilets, refurbishment of the public house and the provision of 10no studio apartments at the Belvior Castle Bath.

CASE OFFICER: Tessa Hampden

DATE: 7 August 2018

COMMENT: OBJECTION

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Bath Heritage Watchdog continues to object to this application. The comments which follow are in addition to our previous objection.

Since our strong objection of 26 June 2018, we note that an updated version of the NPPF was issued on 24 July 2018, and further documents which do not overcome our objections have been submitted on the planning application.

Taking those in order, the revised NPPF was accompanied by an overview of the main updated content, which advised: "The new rules will also make it easier for councils to challenge poor quality and unattractive development and give communities a greater voice about how developments should look and feel." This indicates that greater weight should be given to local comments on developments that directly affect them, and if the council does that then the NPPF will support that approach. The concerns of the residents of Park View that the development will leave them overlooked and hemmed in should therefore be given greater weight.

The petition is disingenuously worded, placing the main emphasis on the improvements to the pub and thus secure its future, with the agreement for the 10 apartments in a separate paragraph, which is read very much as an afterthought. Meanwhile, the claim of the alterations making it more appealing to new customers conveniently overlooks the current amenity value of a grassed garden for customers to use, which would be lost when the apartments are built. Those signing the petition are being misled by the choice of wording.

The revised floor plans have some anomalies, such as (assuming each apartment keeps their entrance door closed) ground floor apartments 1 and 4 have access to a courtyard, whereas apartments 2 and 3 do not appear to have any outdoor amenity space at all other than the bin store and bike park, so clearly these are not intended to be permanent residences. The exact floor height of the residential space has been omitted, and both the pub and the apartment bin stores require traversing a flight of stairs or a fairly steep ramp to get from their storage location to the street for collection.

The Technical Note on Parking sets great store on the limited availability of parking within 200 Metres walking distance, but fails to recognise that walkers have routes that don't show on the map of roads. There are footpaths through from Caledonian Road and Denmark Street which bring them within the 200 metre pedestrian scope. Besides, students park in Brook Road and walk to Waterside Court and Charlton Court, proving that they don't feel limited to 200 metres. The proposed travel perks will be irrelevant to students, because they don't want a car to commute to and from university but they do want a car as door-to-door transport from home to Bath and vice versa, allowing bulkier and heavier luggage than is possible with a suitcase on public transport. There are complaints published in the Chronicle from time to time of students parking for extended periods, sometimes for weeks on end, because having arrived in Bath they won't need to use their car until returning home at end of term. Such students will create parking shortages for permanent residents, and they can be outside any defined radius in leases or S106 agreements if there is any risk of enforcement.

The assumption that the apartments will be attractive as starter homes conveniently overlooks the fact that the site is in flood zone 3 and insurance will be virtually unobtainable, and without insurance, mortgages will be very difficult to obtain. Buy to let (almost certainly student lets because they are more profitable) are the obvious purchasers.

The revised Flood Risk Assessment regurgitates the usual historical data and modelling results, and carefully overlooks the visible on-site evidence that the location **has** flooded. The Core Strategy does recognise that development might be necessary in flood zone 3a for "Windfall Sites", but this application wishes to build over the current grassed garden and the NPPF specifically excludes gardens in built-up areas as previously developed land or potential windfall sites. Nor does the Core Strategy insist that every zone 3a location is suitable, and visible evidence of past floods overrides a mathematical possibility scenario.

The raising of the floor level for this proposed development will displace the water that would otherwise be stored in the pub garden. This will increase the risk of flooding elsewhere contrary to Section 155 of the revised NPPF, and the most obvious location to suffer consequent higher water levels will be the Grade II listed houses in Park View.

The Environment Agency models were prepared before the Western Riverside was built on a raised platform, which will act as a dam for run-off water, so it is of doubtful relevance for this application which will cause Midland Road to be the alternative route to the river and therefore increase the floodwater height at the only resident's exit from this new development. The council's flood protection scheme is designed to store river water originating from upstream, and that won't protect against the 1968 style of flood where torrential overnight rain ran off the southern hills to flood the Lower Bristol Road and the garden behind the Belvoir Castle. An early warning of a future flood event is inoperative for high rainfall events.

The claim that there will be a safe egress in the event of a flood is unlikely to be true when the public highway is significantly lower than the residential floor; and the safety net of residents being trapped in the building might be acceptable if the building already existed, but it is no justification for something that doesn't currently exist being allowed to be built.

As an aside, flooding is not the only potential problem for this development. A single relatively narrow exit through a listed boundary wall is unlikely to be acceptable for evacuating 10 flats on two floors in the event of a fire.