



Bath Heritage Watchdog

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APPLICATION NUMBER: 18/03785/LBA

ADDRESS: Belushis, 9 Green Street

PROPOSAL: External alterations to include replacement of ground floor shopfront windows & doors

CASE OFFICER: Adrian Neilson

DATE: 26 August 2018

COMMENT: OBJECTION

Bath Heritage Watchdog objects to this application.

No 9 Green Street (listed as No1 Broad Street, The Oliver Public House after a 2010 address change) was originally two houses dating from the late 18th century but now forms a public house. It is listed Grade II and is located in the Bath Conservation Area and World Heritage Site.

The proposal is to replace the current ground floor fenestration with a new configuration and double glazing. This is a revision from a previous application which was withdrawn.



In the absence of any building history in the Heritage Statement, we carried out some brief research as part of our input for the previous application and found the photo on the left, described as “Fortts 1930s”.

Whilst the proposals in this application are a step in that direction, we still feel that if a return to the state before the building was listed is considered important enough to override the listing entry, the configuration on the left would be preferable.

Although appreciating the applicants have cited similar windows in adjacent shops to the style now proposed, context should be taken from the building itself and not simply copying adjacent buildings.

We are also opposed to the installation of double glazing. If increased thermal efficiency is required then the use of a marginally thicker glass such as Histoglass would be preferable, which will achieve thermal improvement without the double imaging caused by double glazing.

Although the Heritage Statement is a large document which goes into great depth about policies, the information regarding the building in question is effectively limited to just one page. We would expect the Heritage Statement to have given a detailed history of the building, including historical changes which would inform the proposals being put forward.

There has been a claim in the Design and Access Statement that assumes that the existing shopfronts were approved in 2000 because there was a planning application then and its documents are no longer online. However the listing entry dated 1972 describes the fenestration seen today so the assumption cannot be true.

Also the guidance in the NPPF Glossary does not supersede the extant legislation: the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires decision makers to have “*special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses*”. The special regard (established in Case Law as the primary consideration) is for the application building, and it is difficult to justify altering the fenestration to be similar to a neighbouring retail building when to do so also invalidates the description in the Listing Entry: *Ground floor wholly mid/late C20 public house front of 'Georgian character' with multi-paned lights divided by pilasters, some of which are paired*. The emphasis is on the building looking like a public house, not the shop next door. Likewise the fenestration for “Fortts 1930s” was appropriate for its restaurant function rather than a public house, and again is no obvious alternative model.

The works as proposed are considered to be detrimental to the special architectural and historic character and interest of the listed building, adjacent listed buildings and the conservation area contrary to S16 and S72 of the Planning (Listed Buildings & Conservation Areas) Act 1990, Section 12 ‘Conserving & Enhancing the Historic Environment of the NPPF and Policies DW1, CP1, CP6, D1, D2, D3, D10, and HE1 of the Core Strategy and Placemaking Plan and should be significantly revised or refused in its current format.