



Bath Heritage Watchdog

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APPLICATION NUMBER: 18/03789/LBA

ADDRESS: 1-3 James Street West

PROPOSAL: External alterations to include installation of signage

CASE OFFICER: Samantha Mason

DATE: 26 August 2018

COMMENT: OBJECTION

Bath Heritage Watchdog objects to this application.

We are disappointed to find that the Listed Building application was submitted a week after the corresponding Advertisement application 18/02712/AR was refused. They do correspond too; the same drawings are submitted on both.

Logically therefore, the same reason for refusal should be the minimum to apply to this application: *The addition of overt commercial signage to this important bomb damaged building would by reason of its siting, design and use of colour and materials harm the intrinsic significance and character of the listed building contrary to policy HE1 and D9 from the Placemaking Plan and part 16 of the NPPF.*

However, the decision process for Listed Building applications takes more into account than the more simplistic considerations for an Advertisement application, so we are reproducing our detailed comments below. We also note that the Historic Environment comments on 18/02712/AR contained significant details that would also apply to this application.

CONTEXT

It is clearly difficult for some to understand just how important this building is to people in Bath. It remains one of the only physical signs of how World War 2 affected the city and its residents. Its importance does not lie in its location, its architectural design or age – it lies in the survival of the shrapnel and machine gun pock marks which are exhibited across the building. The former Labour Exchange was the last remaining wartime “make do and mend” repaired building in Bath, and although other bomb damaged buildings are preserved elsewhere in a derelict state, it is believed that this was the last wartime repaired survivor in the whole of the country that was still fit for use in its wartime repaired state.

The war-scarred building stands as a reminder of the tragic events in the Bath Blitz and as a memorial to those who lost their lives in the Baedeker Raids. It stands as a physical reminder of those terror-filled days and nights, and is regarded as an unofficial war memorial by those influenced by those events. The frontage should be no more sullied by commercialism than an official war memorial. It is also important to recognise that the wartime damage left the façade internally fractured, and the weight of the make do and mend roof originally held it

together. The development approved under 14/01896/FUL removed the roof and left the façade uncompressed and more fragile than it had been before.

It has been recognised from the outset that the addition of any commercial signage to the building was going to be difficult, if not impossible, for the reasons above. The fragility of the façade conflicts with the legal statement that states that “there will be no damage caused by the manner in which the signage will be attached to the property”. The information plaque was designed to offer minimal wind resistance and was installed in a location identified by the builders as one of the few places where the stone could support it: it is too high to be easily readable but it was better than nothing.

The Council has a legal duty to preserve the listed building, and its structural condition will play a large part of that evaluation. Previous applications have tried to say that areas proposed for the signage had been identified as “signage zones” which was not the case. Signage zones perhaps should have been taken into consideration at this time but perhaps it was “swept under the carpet” in the knowledge that virtually no signage would be found to be acceptable. Nevertheless, some advertising for the business within, in the fanlight rather than mounted on the stone, was given consent. The Heritage, Design and Access Statement claims that “it is not possible to easily locate the shop” yet fails to mention the A-Board at the entrance which makes this quite obvious.

The signage proposed in terms of materials is compliant with guidance, it is the addition to this specific building which is not, alongside the use of excessive size and strident colours.

The bracket for the hanging sign over the door would need to be drilled into the stonework which would affect the shrapnel pockmarking and would damage the stonework. Because of the fragility of the stone there is a real risk that it could become dislodged, particularly when a sign of the quoted dimensions catches a strong wind, and the position above the doorway and the pavement in front of it makes it a potential Health and Safety hazard to customers and passers-by. This risk to the public makes any sign in that position unacceptable.

We have an “in principle” objection to signage on the curved section of the building. This corner in particular forms the main focus of the special interest of the building. Nothing should detract from this.

BUSINESS CASE

Although our remit is heritage, to give balance we have also given careful thought to the comments made regarding trading problems.

It is clear that the building is not of a traditional shop form. This would have been completely evident at the time any lease was taken on. We consider that issues of signage and restrictions due to the listed status and special circumstances should have been addressed at that point in time.

The building is well known locally as the “former Labour Exchange” or the “bomb scarred building” and therefore we do not consider identification should be an issue.

The location of the building is not in the main shopping area of the city. Although James Street West is a busy street with a high footfall, it is generally used by those going to and from work/shopping and not a destination for those actually shopping. This will mean that any business depending on passing trade is going to find operating difficult. No amount of signage is going to make any difference to this. Presumably the original developers realised this when they applied for multiple use classes in the original application.

It should also be noted that the previous tenants prior to the current development traded there successfully for many years with minimal advertising because their products were desirable, and they only left because their lease was terminated in order to construct the current shop and student accommodation.

The “Legal Statement” mentions that the “current footfalls are 30% lower than that which was predicted and anticipated for a property of this nature in this location with suitable signage being in place”. It is difficult to know from this whether any market research was done to ascertain whether there was demand for another catering outlet in the city. It also raises the question of whether all the footfall in the street was treated as potential customers rather than a proportion in transit to somewhere else.

The Nisbets business therein is very specialist and because its website advertises “Catering Equipment” it appears to be primarily aimed at trade customers. The main type of equipment for sale is not for the average home but for commercial kitchens. Therefore the attraction to local residents is going to be limited, especially given the observed prices. It is also relevant that Bath has a very long established and popular kitchen equipment store within the main shopping area which does also deal with products for domestic customers and it would be difficult to compete against that familiarity.

It would appear to us that any trading difficulties are more a case of the wrong business in the wrong place than purely a question of advertising. There is also the possibility that because Bath is saturated with restaurants and each new one that opens seems to be followed by one which closes, there must be a steady supply of good quality second-hand products available for the next restaurant business to try its luck.

It is also disappointing that the applicants have included a legal statement as part of the documentation. It is not clear why this route has been taken unless it is to try to scare the Authority into giving consent. It is interesting to note that it quotes the council's obligation to preserve the listed building without any recognition of the legal precedents that this places on protection of the structure above any commercial considerations.

SUMMARY

The works, by virtue of the harm and offence that would be caused are considered to be extremely detrimental to the special architectural and historic character and interest of the listed building and especially the most important aspect of the listed building (ie the bomb damage) 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 CP6, D1, D2, D9, HE1 and ST7 of the Core Strategy and Placemaking Plan and should be refused.

We also consider that the issue of public safety mentioned above is taken into consideration.