



## Bath Heritage Watchdog

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APPLICATION NUMBER: 18/04757/REG03

ADDRESS: Parkside Children's Centre , Charlotte Street, BA1 2NE

PROPOSAL: Extension of existing public car park, including reconfiguration of existing parking spaces, following the demolition of Parkside Children's Centre, with associated drainage, lighting and surfacing

CASE OFFICER: Chris Gomm

DATE: 4 March 2019

COMMENT: OBJECTION

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Bath Heritage Watchdog maintains its objection to this application. Our original objections remain valid and should be read alongside the comments below.

The request to Historic England to list Parkside was refused because their listing criteria for wartime buildings requires that it should be "*in a form which directly illustrates and confirms their historical associations*". It failed the test for listing simply because it is no longer a restaurant.

However, that does not indicate that it is unimportant and disposable. Indeed, the same report stated "*The building clearly has a very high degree of local interest and preserves the character and appearance of the conservation area, featuring the locally characteristic use of Bath stone ashlar to its courtyard elevations*". It then concludes "*The building is of considerable local interest as a rare surviving example of a purpose-built structure for civilian use in wartime Bath. Despite its high level of alteration the building represents an unusual survival that is highly evocative of the period directly following the heavy bombing of the City of Bath during Spring 1942*". The legislation to protect Conservation Areas is quoted in many planning assessments as "*the Council has a statutory requirement under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of that conservation area*" and there is clarification in Legal Case Law that the word "special" means "primary".

Using that measure, the Benefits Statement is wholly inadequate. It argues that this proposal/planning application [at Charlotte Street] is being pursued by BANES alongside the delivery of the Bath Quays North scheme, in order to provide some replacement parking. The relevant planning application was 18/00058/EREG03, which went before the Development Management Committee on 1 August 2018.

We examined the papers that led to the decision to approve, and they show that there is no dependency on replacing Parkside with parking. The Committee was discussing BQN in the context of the advice that “The planning application proposes 320 public car parking spaces” and “Accordingly, to achieve the minimum 500 spaces in the Parking Strategy, Cattlemarket and Manvers Street would need to provide at least 180 spaces. They currently provide 197 spaces and therefore there is some, albeit limited capacity to achieve a minimum of 500 spaces across the city centre.” **The approval, when given was not based on additional parking in Charlotte Street.**

Therefore the attempted justification in the Benefits Statement is not a valid justification, just a later suggestion, and as the Case Law puts preserving the Conservation Area as a primary requirement and Historic England confirm that Parkside in its current state has a very high degree of local interest and **preserves the character and appearance of the conservation area**, there is no legal basis for its demolition.

This application must be refused.