

B BATH B LITZ Memorial Project

8 Junction Avenue, Oldfield Park, Bath BA2 3NJ

www.bathblitz.org

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Reference: [Planning Application 14/01896/FUL](#)

I am writing in my role of Committee member and historical researcher of the Bath Blitz Memorial Project (BBMP) to express my objection to this planning application. This concerns a listed building and I must also ask why there is no corresponding Listed Building Application.

The BBMP applied to have this building listed, and it was. The grounds for listing it was not just for the scarred stone on the façade, but also because the wartime reclamation of a ruined building shows the materials, methods and ingenuity of the workforce that was available, bearing in mind that most able-bodied males were in the armed forces. That makes the entire building an object of interest to historians, even though English Heritage in the listing text emphasised the easily visible features as they do in all their listing entries.

I would expect that the Listed Building Application would cover these aspects properly, but when this application to include such inadequate research that it treats the façade as the only thing worth saving it suggests that either the mandatory Listed Building Application is only in its infancy, which makes this application premature, or else the same false claims will be reused at a later date.

The BBMP receives occasional requests for information on wartime events in Bath, and nothing has been received from the applicants, so it is assumed that they did not want facts to get in the way of their ambitions. It is also disturbing to read in the pre-application advice that “Any formal submission should make clear how much of the existing cellular structure would be demolished or removed”. I have been given a tour of the building and it cannot by any stretch of the imagination be described as a cellular structure, which leaves me wondering whether the council is deliberately playing down a building that they own, in order to get rid of it. Certainly the council has never been seen to value it according to the correspondence the project has from the council on the subject of putting an information plaque on the building.

There is public interest in the building though, as evidenced by the sales of the video “*Bath At War*” available from 1st Take Video, which includes footage of it. The Project assisted in the production and receives royalties from the sales, so the volume of sales are known. There is continuing interest in that period of Bath’s history.

I was personally approached by the BBC for information on people and places when they were planning the programme “*The Forgotten Blitz*”¹, and this programme featuring Nick Knowles (who in one scene is filmed standing outside and talking about the former Labour Exchange) has been broadcast at regular intervals since it first aired in August 2011. The Project holds an annual memorial service around the anniversary date of the Bath Blitz, and from conversations with those who attend, I know that a number of people have watched the programme and have taken an interest in the Bath Blitz.

I was also asked for background material by a university student from Florida who came to Bath to research wartime disaster recovery. There are many inferences of the damage done to Bath during the war, but this building was of particular interest because it is the only obvious example of the type of destruction experienced and the “carry on regardless” attitude that prevailed at the time..

The inside of the building, until the Genesis Project was thrown out, was partly open to the public for the sale of restored furniture; and the inside was a time warp of 1930s fixtures and fittings; a fascination for those interested in that period of history.

In a World Heritage Site, this building has an important role, and is by no means as disposable as the applicant pretends it is. The British Government has a duty to under the World Heritage Convention to protect heritage for all the world for all time, and the media coverage this building has received makes it a destination of choice for some visitors; and I know this having met some from the US and from the EU as well as some from elsewhere in the UK. For that reason alone, any planning application that alters the building should be refused.

However, what is proposed for the façade is unacceptable in preservation terms. The applicant doesn’t acknowledge that the proximity of a high explosive bomb will have induced pressure waves into the structure. Whilst the walls are held in place by the roof as they currently are, this factor is not important, but the assumption that the façade will stay intact, held up in the manner described when the roof is removed, is at best wishful thinking. The plan then is to mount it on a concrete backing, which will stop the stone from venting the moisture from the weather in the same way it currently does. Damp stone softens, and flakes in the frost, and having survived for 70 years in its post-war condition it will not retain its original relevance for long when weather erosion masks some of the original character. It is clear that the applicant does not understand the physical characteristics of Bath Stone. It is also clear that they don’t understand that the cement patch in the façade is an essential feature of the retained façade; their drawings omit it. The only way to ensure that appropriate care is taken is to have a condition on any lease and/or an enforceable covenant attached to any sale that the land can only be occupied by a business, charity or residents while the façade remains in position and in good condition.

The ideal use from the Project’s perspective is to continue with the occupancy by the Genesis Project. Their use of the building for the last few years has kept it ventilated and in sound condition, whilst their needs have made minimal demands for changes internally or externally. The format and character of the Labour Exchange interior was still discernable during their occupancy.

¹ I have the copy of the DVD of the programme which the BBC gave me as a thank-you, if you want to borrow it.

It is also noteworthy that the council has treated this charity shabbily in the past, moving them from one council owned premises to another almost at a whim, then throwing them out when they are deemed to be in the way: evicted from the Newark Works, then Green Park House, and now the former Labour Exchange. Each move is disruptive, and in view of the fact that the charity assists vulnerable people through rehabilitation services, very damaging to their operation. Each move has also cost the charity a four-figure sum; money that could have been better spent on their charitable services.

Since the move into the former Labour Exchange, there has been new Government legislation, and although the Genesis eviction remains within the permitted landlord/tenant arrangements, doing so without a place to go that causes no harm to the users of the charity and which is in form and function no worse than the one being vacated, is a criminal offence under the Equalities Act 2010. In short, until the Genesis Project is provided with a premises at least as suited to the charity's needs as the current building is, the council, as owner and landlord, is committing an offence. Any planning permission granted in advance of finding such a wholly suitable premises will remove from the council the opportunity to mitigate their offence by allowing the charity to move back in, thus identifying the offence as being pre-meditated.

Aside from the legal position, there is a requirement in the Local Plan to preserve a site used, or last used, for community purposes, so Policy CF1 makes a presumption to refuse permission until the Genesis Project is established in a premises as good as or better than the former Labour Exchange.

There is guidance associated with Conservation Areas that structures important to the character of the area are preserved unless any replacements enhance the location. The replacement of a building which defines the area as a wartime casualty, and gives a context to the post-war buildings around it, with a building that has no particular character, being as trite and ugly as many from the current generation of architects, and being so tall as to make the location positively claustrophobic, does not meet the planning legislation, no matter what the replacement monstrosity would be used for.

There are Government regulations making a presumption that listed buildings will be preserved in their entirety with their character intact unless there is absolutely no alternative to their loss, and the fact that the Genesis Project could and would have continued to use it indefinitely negates any argument to the contrary. There are requirements in the World Heritage Convention that obliges the Government to preserve for all mankind those locations designated World Heritage Sites, and there is nothing in the Local Government Acts that allows a Local Planning Authority to commit an offence against the World Heritage Convention on behalf of Central Government.

I notice that among the objections to this application are some from overseas, which effectively vetoes any suggestion that the World Heritage Site would not be affected by the loss of a building that has had significant media coverage. The Outstanding Universal Value of Bath covers among other things the ability to view the development of Bath over a period of time, and a 1930s building modified with emergency repairs in the 1940s is very clearly within scope of that OUV.

By contrast, the design proposed in this planning application very clearly doesn't fit the OUV because it is not reflecting the proportions that are typical of Bath, and it neither meets the OUV expectation of a building "of human scale" nor complies with the Building Heights Strategy embedded in the new Core Strategy.

This planning application seeks to demolish a rare surviving building that in a World Heritage Site has been shown to be important to the world outside Bath, displacing a well respected charity that should have been protected by recent legislation from the cavalier treatment that they have received from the council, and whose accommodation having a community function should be protected by planning policies. The applicants have been appointed by the council according to the local press, so in practice they are agents of the council and this application should really be a Regulation 03 one. The fact that it isn't suggests that the council is trying to conceal its ambitions from the Secretary of State, and perhaps even that the application has been pre-determined.

And for what? A new building that would even make Kingsmead House look attractive in comparison, to house students in rooms that will peer into the bedroom windows of the newly constructed hotel across the road (which will lose trade once that fact goes all round the internet), supposedly justified by a pack of lies that structurally ruined HMOs around Bath will magically be turned back into family homes again. Adults are not supposed to believe in fairies!

All the planning policies, guidance and legislation are against this development: Arguably the council has already broken the law by rendering the building vacant, when Genesis could have remained there until the planning situation was resolved, especially when the Listed Building Application has not yet appeared. There are no offsetting advantages which come anywhere close to justifying the damage to a rare, historically important, well known and widely publicised, listed building in a Conservation Area in a World Heritage Site. It **must** be refused.

Yours sincerely

A handwritten signature in blue ink, appearing to read "J. Dawson", is positioned to the left of a vertical line that extends downwards from the signature area.