

**Application Number: 10/02688/FUL**

**Address:**

Herman Miller Uk  
Lower Bristol Road  
Bath BA2 3ER

**Proposal:**

Change of use from B2 to A1 foodstore and three A1 bulky goods use units

**Comments: submitted at 20/07/2010**

Bath Heritage Watchdog submits a general comment in respect of this application.

Twerton has always retained its historic 'village' origins, even though it is now part of the main City of Bath. It is therefore considered that The Lidl store, due to its size and range, will predominantly serve this catchment area plus the student accommodation at Waterside Court and Charlton Court, and it is clear that there is considerable support for it. It is considered that this local catchment will have no impact on other developments in the city and is not a reason for refusal. The other retail units are identified as bulky goods outlets. There are no comparable retail outlets for bulky goods in this area, nor are the retail units in Southgate or the main shopping spine suitable for the type of customer transport that bulky goods need, so the extension of the change of use from B2 to A1 for the former Herman Miller building is supported.

The proposal for a Lidl store plus other unspecified bulky retail within the former Herman Miller building is therefore welcomed. However, there are a few issues raised within this application, some of which still remain from the previous application, which prevent us from issuing a full support comment, and which will need to be addressed as part of the determination of this application.

First, and foremost, is the roof. The Design & Access Statement 5.8.1 says 'The design proposals are listed below and are identical to those included in the latest Listed Building Approval (09/00047/LBA) albeit with minor changes.....' and 5.8.4 says 'The rooflights have been amended slightly since the approved listed building application and are now shallower than those previously proposed as requested by the Councils Conservation Architect'.

This is incorrect. The drawings, as submitted with this application, clearly show the pyramid rooflights as originally proposed. As part of the condition discharge application 09/04842/COND it was confirmed that these rooflights were no longer to be installed (not simply made shallower). The letter from Nicola Rickford, Acquisitions Manager dated 16th December states 'As discussed and agreed on site we are now removing the new eight roof lights that we originally proposed (and approved) within the listed building consent. Please can you confirm that you are satisfied that the proposed roof lights can be removed'.

The subsequent Conservation Officer Delegated Report states 'Although condition 4 requires details of the new roof lights proposed in the approved listed building application to be agreed the agent/applicant in their letter dated the 16th December confirms that they no longer intend to install the rooflights'. Therefore permission granted to this the application based on the submitted information and drawings would be in direct conflict with the Listed Building Consent. Please ensure that revised drawings are submitted to the application to bring it in line with the Listed Building Consent.

The proposals for the boundaries remain of concern. The principle of railings to the western boundary of the car park is considered acceptable, but because no details have been provided, this must be conditioned and the Senior Conservation Officer who dealt with the Listed Building Consent consulted to ensure that the setting of the listed building is not adversely affected.

The proposed knee high timber fencing to the southern and western boundary (of the building) is not considered acceptable. The western boundary could also utilise railings; however the preference is for the southern boundary to stay open as it is at present. The open grass area is considered essential to the setting of the listed building. A timber fence is likely to attract vandalism and would be visually detrimental; a knee high fence is likely to be a trip hazard.

The southern and western elevations are the most publicly visible and are therefore the most sensitive in respect of the listed building. The position of the cycle store is therefore likely to be visually detrimental to the listed building and would be better suited relocated on the tarmac area to the rear of the store, nearer the cycle path and public walkway shown in the previous applications and likely to be part of any future S106 agreement for this site.

The Herman Miller building is Grade II listed, adjacent to the designated Conservation Area and within the World Heritage Site. It is regrettable that the building has been unoccupied and unused for some years, leading to its current neglected state. It has now been identified as a building at risk and we remind all parties involved of their responsibilities to ensure that it is not allowed to deteriorate further. An economic use for the building has been found; one which will ensure it is conserved and brought back into use.

We believe that the application is in full compliance with those policies on which it was previously refused, and provided the revisions to align the design with the extant listed building consent are made and the other more minor points raised above are addressed, should be permitted.